

APPEAL, CLOSED, PROTECTIVE\_ORDER, SP,

**U.S. District Court**  
**Western District of Wisconsin (Madison)**  
**CIVIL DOCKET FOR CASE #: 3:19-cv-00602-wmc**

Bad River Band of the Lake Superior Tribe of Chippewa Indians  
of the Bad River Reservation v. Enbridge Energy Company, Inc.  
et al

Assigned to: District Judge William M. Conley

Referred to: Magistrate Judge Stephen L. Crocker

Cause: 25:640 Indian Tribal Rights

Date Filed: 07/23/2019

Date Terminated: 06/29/2023

Jury Demand: Defendant

Nature of Suit: 240 Torts to Land

Jurisdiction: Federal Question

**Plaintiff**

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Tribe of Chippewa Indians of the Bad  
River Reservation**

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*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Eric M. McLeod**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Joseph S. Diedrich**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Michael C. Davis**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**David Hyler Coburn**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Justin Blake Nemeroff**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Shannen Wayne Coffin**

(See above for address)

*ATTORNEY TO BE NOTICED*

**William Thomas Hassler**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Xochitl S Strohbehn**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Zakariya Varshovi**

(See above for address)

*TERMINATED: 12/22/2021*

V.

**Counter Defendant**

**Bad River Band of the Lake Superior  
Tribe of Chippewa Indians of the Bad  
River Reservation**

represented by **Bruce T. Wallace**  
(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Claire R Newman**

(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Christopher Constantine Miller**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Cory J Albright**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**David A Giampetroni**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**David P Hollander**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Douglas Maynard Poland**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Jane Steadman**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Oday Salim**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Philip Tinker**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Riyaz A Kanji**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Counter Defendant**

**Naomi Tillison**

represented by **Claire R Newman**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Riyaz A Kanji**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Christopher Constantine Miller**

(See above for address)

*ATTORNEY TO BE NOTICED***David A Giampetroni**

(See above for address)

*ATTORNEY TO BE NOTICED***Jane Steadman**

(See above for address)

*ATTORNEY TO BE NOTICED***Philip Tinker**

(See above for address)

*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
07/23/2019	<u><a href="#">1</a></u>	COMPLAINT against All Defendants, ( Filing fee \$ 400 receipt number 0758-2507114.), filed by Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, (Attachments: # <u><a href="#">1</a></u> JS-44 Civil Cover Sheet, # <u><a href="#">2</a></u> Summons, # <u><a href="#">3</a></u> Summons, # <u><a href="#">4</a></u> Summons, # <u><a href="#">5</a></u> Summons) (Kanji, Riyaz) (Entered: 07/23/2019)
07/24/2019		Case randomly assigned to District Judge William M. Conley and Magistrate Judge Stephen L. Crocker. (voc) (Entered: 07/24/2019)
07/24/2019		Standard attachments for Judge William M. Conley required to be served on all parties with summons or waiver of service: <u><a href="#">NORTC</a></u> , <u><a href="#">Corporate Disclosure Statement</a></u> . (voc) (Entered: 07/24/2019)
07/24/2019	<u><a href="#">2</a></u>	Summons Issued as to Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P., Enbridge Energy, L.P., Enbridge Inc.. (Attachments: # <u><a href="#">1</a></u> Summons Enbridge Energy Partners, L.P., # <u><a href="#">2</a></u> Summons Enbridge Energy Company, Inc., # <u><a href="#">3</a></u> Summons Enbridge Energy, L.P.) (voc) (Entered: 07/24/2019)
07/25/2019	<u><a href="#">3</a></u>	Notice of Appearance filed by Cory Albright for Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Albright, Cory) (Entered: 07/25/2019)
07/25/2019	<u><a href="#">4</a></u>	Notice of Appearance filed by David Giampetroni for Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Giampetroni, David) (Entered: 07/25/2019)
07/25/2019	<u><a href="#">5</a></u>	Notice of Appearance filed by Jane Steadman for Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Steadman, Jane) (Entered: 07/25/2019)

07/25/2019	<a href="#">6</a>	Notice of Appearance filed by Philip Tinker for Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Tinker, Philip) (Entered: 07/25/2019)
07/26/2019	<a href="#">7</a>	Notice of Appearance filed by Bruce T. Wallace for Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Wallace, Bruce) (Entered: 07/26/2019)
07/26/2019	<a href="#">8</a>	Notice of Appearance filed by Oday Salim for Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Salim, Oday) (Entered: 07/26/2019)
07/29/2019	<a href="#">9</a>	Waiver of Service Returned Executed by Defendant Enbridge Inc. Enbridge Inc. waiver sent on 7/26/2019, answer due 9/24/2019. (Kanji, Riyaz) (Entered: 07/29/2019)
07/29/2019	<a href="#">10</a>	Waiver of Service Returned Executed by Defendant Enbridge Energy Partners, L.P. Enbridge Energy Partners, L.P. waiver sent on 7/26/2019, answer due 9/24/2019. (Kanji, Riyaz) (Entered: 07/29/2019)
07/29/2019	<a href="#">11</a>	Waiver of Service Returned Executed by Defendant Enbridge Energy Company, Inc. Enbridge Energy Company, Inc. waiver sent on 7/26/2019, answer due 9/24/2019. (Kanji, Riyaz) (Entered: 07/29/2019)
07/29/2019	<a href="#">12</a>	Waiver of Service Returned Executed by Defendant Enbridge Energy, L.P. Enbridge Energy, L.P. waiver sent on 7/26/2019, answer due 9/24/2019. (Kanji, Riyaz) (Entered: 07/29/2019)
09/04/2019	<a href="#">13</a>	Motion to Admit Zakariya Varshovi Pro Hac Vice. ( Pro Hac Vice fee \$ 100 receipt number 0758-2533482.) by Defendants Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P., Enbridge Energy, L.P., Enbridge Inc. Motions referred to Magistrate Judge Stephen L. Crocker. (Varshovi, Zakariya) (Entered: 09/04/2019)
09/04/2019	<a href="#">14</a>	Motion to Admit David L. Feinberg Pro Hac Vice. ( Pro Hac Vice fee \$ 100 receipt number 0758-2533550.) by Defendants Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P., Enbridge Energy, L.P., Enbridge Inc. Motions referred to Magistrate Judge Stephen L. Crocker. (Feinberg, David) (Entered: 09/04/2019)
09/04/2019	<a href="#">15</a>	Motion to Admit Michael C. Davis Pro Hac Vice. ( Pro Hac Vice fee \$ 100 receipt number 0758-2533556.) by Defendants Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P., Enbridge Energy, L.P., Enbridge Inc. Motions referred to Magistrate Judge Stephen L. Crocker. (Davis, Michael) (Entered: 09/04/2019)
09/04/2019	<a href="#">16</a>	Motion to Admit Justin Nemeroff Pro Hac Vice. ( Pro Hac Vice fee \$ 100 receipt number 0758-2533589.) by Defendants Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P., Enbridge Energy, L.P., Enbridge Inc. Motions referred to Magistrate Judge Stephen L. Crocker. (Nemeroff, Justin) (Entered: 09/04/2019)
09/05/2019	17	<b>** TEXT ONLY ORDER **</b> ORDER granting <a href="#">13</a> Motion to Admit Zakariya Varshovi Pro Hac Vice; granting <a href="#">14</a> Motion to Admit David L. Feinberg Pro Hac Vice; granting <a href="#">15</a> Motion to Admit Michael C. Davis Pro Hac Vice; granting <a href="#">16</a> Motion to Admit Justin Nemeroff Pro Hac Vice. Signed by Magistrate Judge Peter A. Oppeneer on 9/5/2019. (lak) (Entered: 09/05/2019)

09/24/2019	<a href="#">18</a>	Motion to Admit Shannen Wayne Coffin Pro Hac Vice. ( Pro Hac Vice fee \$ 100 receipt number 0758-2546707.) by Defendants Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P., Enbridge Energy, L.P., Enbridge Inc. Motions referred to Magistrate Judge Stephen L. Crocker. (Coffin, Shannen) (Entered: 09/24/2019)
09/24/2019	<a href="#">19</a>	Motion to Admit David Hyler Coburn Pro Hac Vice. ( Pro Hac Vice fee \$ 100 receipt number 0758-2546753.) by Defendants Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P., Enbridge Energy, L.P., Enbridge Inc. Motions referred to Magistrate Judge Stephen L. Crocker. (Coburn, David) (Entered: 09/24/2019)
09/24/2019	20	<b>** TEXT ONLY ORDER **</b> ORDER granting <a href="#">18</a> Motion to Admit Shannen Wayne Coffin Pro Hac Vice. Signed by Magistrate Judge Peter A. Oppeneer on 9/24/2019. (lak) (Entered: 09/24/2019)
09/24/2019	21	<b>** TEXT ONLY ORDER **</b> ORDER granting <a href="#">19</a> Motion to Admit David Hyler Coburn Pro Hac Vice. Signed by Magistrate Judge Peter A. Oppeneer on 9/24/2019. (lak) (Entered: 09/24/2019)
09/24/2019	<a href="#">22</a>	Corporate Disclosure Statement by Defendants Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P., Enbridge Energy, L.P., Enbridge Inc. (Davis, Michael) (Entered: 09/24/2019)
09/24/2019	<a href="#">23</a>	<b>MOTION TO DISMISS for Lack of Jurisdiction</b> by Defendants Enbridge Energy Partners, L.P., Enbridge Inc. Brief in Opposition due 10/15/2019. Brief in Reply due 10/25/2019. (Attachments: # <a href="#">1</a> Text of Proposed Order) (Davis, Michael) Modified on 10/16/2019 (voc/bgw). (Entered: 09/24/2019)
09/24/2019	<a href="#">24</a>	Brief in Support of <a href="#">23</a> Motion to Dismiss/Lack of Jurisdiction, by Defendants Enbridge Energy Partners, L.P., Enbridge Inc. (Davis, Michael) (Entered: 09/24/2019)
09/24/2019	<a href="#">25</a>	Declaration of Kelly Gray filed by Defendants Enbridge Energy Partners, L.P., Enbridge Inc. re: <a href="#">23</a> Motion to Dismiss/Lack of Jurisdiction. (Davis, Michael) (Entered: 09/24/2019)
09/24/2019	<a href="#">26</a>	Declaration of John McKay filed by Defendants Enbridge Energy Partners, L.P., Enbridge Inc. re: <a href="#">23</a> Motion to Dismiss/Lack of Jurisdiction. (Davis, Michael) (Entered: 09/24/2019)
09/24/2019	<a href="#">27</a>	Declaration of Karen Uehara filed by Defendant Enbridge Inc. re: <a href="#">23</a> Motion to Dismiss/Lack of Jurisdiction. (Davis, Michael) (Entered: 09/24/2019)
09/24/2019	<a href="#">28</a>	ANSWER with Jury Demand, COUNTERCLAIM against Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.,(Attachments: # <a href="#">1</a> Exhibit A - 1992 Agreement, # <a href="#">2</a> Exhibit B - 50 Year Easement, # <a href="#">3</a> Exhibit C - Map of Reservation, # <a href="#">4</a> Exhibit D - 2013 Letter to Band, # <a href="#">5</a> Exhibit E - Band Press Release) (Davis, Michael) Modified on 9/25/2019. (lak) (Entered: 09/24/2019)



09/26/2019		Set Telephone Pretrial Conference: Telephone Pretrial Conference set for 10/29/2019 at 02:30 PM before Magistrate Judge Stephen L. Crocker. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264-5153. [ <a href="#">Standing Order Governing Preliminary Pretrial Conference</a> attached] (voc) (Entered: 09/26/2019)
09/26/2019	<a href="#">29</a>	Notice of Appearance filed by Joseph Stephen Diedrich for Defendants Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P., Enbridge Energy, L.P., Enbridge Inc. (Diedrich, Joseph) (Entered: 09/26/2019)
09/26/2019	<a href="#">30</a>	Notice of Appearance filed by Eric M. McLeod for Defendants Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P., Enbridge Energy, L.P., Enbridge Inc. (McLeod, Eric) (Entered: 09/26/2019)
10/11/2019	<a href="#">31</a>	Stipulated Motion for Extension of Time <i>to Respond to Motion to Dismiss for Lack of Personal Jurisdiction</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendant Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. Motions referred to Magistrate Judge Stephen L. Crocker. (Attachments: # <a href="#">1</a> Text of Proposed Order) (Wallace, Bruce) (Entered: 10/11/2019)
10/11/2019	32	<b>** TEXT ONLY ORDER **</b> ORDER granting <a href="#">31</a> Motion for Extension of Time. The reply deadline is extended commensurately. The October 29, 2019 telephonic pretrial conference remains on the schedule. Brief in Opposition due 10/25/2019. Brief in Reply due 11/4/2019. Signed by Magistrate Judge Stephen L. Crocker on 10/11/2019. (jls) (Entered: 10/11/2019)
10/15/2019	<a href="#">33</a>	Reply to Counterclaim by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendant Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 10/15/2019)
10/15/2019	<a href="#">34</a>	AMENDED COMPLAINT against Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P., Enbridge Energy, L.P., Enbridge Inc., filed by Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 10/15/2019)
10/24/2019	<a href="#">35</a>	STIPULATION of Dismissal of <i>Enbridge, Inc. and Enbridge Energy Partners, LP Without Prejudice</i> . (Wallace, Bruce) (Entered: 10/24/2019)
10/24/2019	<a href="#">36</a>	Joint Preliminary Pretrial Conference Report by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendant Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 10/24/2019)
10/24/2019		Party Enbridge Energy Partners, L.P. and Enbridge Inc. are terminated pursuant to Fed. R. Civ. P. 15(a) without further order of the court. (voc/aw) (Entered: 10/24/2019)
10/25/2019	<a href="#">37</a>	Motion to Admit William Thomas Hassler Pro Hac Vice. ( Pro Hac Vice fee \$ 100 receipt number 0758-2565675.) by Defendants Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P., Enbridge Energy, L.P., Enbridge Inc., Counter Claimants Enbridge Energy Company, Inc., Enbridge Energy, L.P. Motions referred to Magistrate Judge Stephen L. Crocker. (Hassler, William) (Entered: 10/25/2019)



10/25/2019	38	<b>** TEXT ONLY ORDER **</b> ORDER granting <a href="#">37</a> Motion to Admit William Thomas Hassler Pro Hac Vice. Signed by Magistrate Judge Peter A. Oppeneer on 10/25/2019. (lak) (Entered: 10/25/2019)
10/29/2019	<a href="#">39</a>	AMENDED ANSWER to Amended Complaint, COUNTERCLAIM against Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Naomi Tillison by Enbridge Energy Company, Inc., Enbridge Energy, L.P., (Attachments: # <a href="#">1</a> Exhibit A - 1992 Agreement, # <a href="#">2</a> Exhibit B - 50 Year Easement, # <a href="#">3</a> Exhibit C - Map of Reservation, # <a href="#">4</a> Exhibit D - Letter to Band, # <a href="#">5</a> Exhibit E - Band Press Release) (Davis, Michael) Modified on 10/30/2019. (lak) (Entered: 10/29/2019)
10/30/2019		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Preliminary Pretrial Conference held on 10/29/2019 [:15] (cak) (Entered: 10/30/2019)
10/30/2019	<a href="#">40</a>	Pretrial Conference Order - <a href="#">Preliminary Pretrial Packet in cases assigned to District Judge William M. Conley</a> attached. Dispositive Motions due 1/15/2021. Settlement Letters due 5/14/2021. Motions in Limine due 5/28/2021. Response to Motion due 6/18/2021. Final Pretrial Conference set for 6/29/2021 at 03:00 PM. Jury Selection and Trial set for 7/19/2021 at 09:00 AM.. Signed by Magistrate Judge Stephen L. Crocker on 10/30/2019. (voc) (Entered: 10/30/2019)
11/08/2019	<a href="#">41</a>	Transcript of Telephonic Preliminary Pretrial Conference, held 10/29/2019 before Magistrate Judge Stephen L. Crocker. Court Reporter: LS. Please review the court's new policy regarding electronic transcripts of court proceedings: see <a href="#">Electronic Transcript Instructions</a> . (jls) (Entered: 11/08/2019)
11/12/2019	<a href="#">42</a>	Reply to Counterclaim by Counter Defendant Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanj, Riyaz) Modified on 11/13/2019. (lak) (Entered: 11/12/2019)
11/27/2019	<a href="#">43</a>	Motion to Stay <i>Nuisance Discovery and Bifurcate Trial</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. Response due 12/4/2019. (Attachments: # <a href="#">1</a> Exhibit A - Plaintiff's Document Requests, # <a href="#">2</a> Exhibit B - Enbridge's Interrogatories to Plaintiff, # <a href="#">3</a> Exhibit C - Enbridge's Document Requests to Plaintiff, # <a href="#">4</a> Text of Proposed Order) (Feinberg, David) Modified on 12/3/2019. (lak) (Entered: 11/27/2019)
12/02/2019		Set/Reset Briefing Deadlines as to <a href="#">43</a> Motion to Stay <i>Nuisance Discovery and Bifurcate Trial</i> . Brief in Opposition due 12/16/2019. Brief in Reply due 12/23/2019. (voc/slc) (Entered: 12/02/2019)
12/16/2019	<a href="#">44</a>	Brief in Opposition by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendants Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Naomi Tillison re: <a href="#">43</a> Motion to Stay, filed by Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Attachments:

		<p># <a href="#">1</a> Disregard. Refer to <a href="#">45</a> .,</p> <p># <a href="#">2</a> Disregard. Refer to <a href="#">45</a> .</p> <p># <a href="#">3</a> Disregard. Refer to <a href="#">46</a> .,</p> <p># <a href="#">4</a> Disregard. Refer to <a href="#">46</a> .) (Kanji, Riyaz) Modified on 12/17/2019: E-mail sent to counsel. (lak) (Entered: 12/16/2019)</p>
12/17/2019	<a href="#">45</a>	<p>Declaration of Naomi Tillison filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendants Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Naomi Tillison re: <a href="#">43</a> Motion to Stay, (Attachments: # <a href="#">1</a> Attachment A - Bad River Band Water Quality Certification and Water Quality Review Code, # <a href="#">2</a> Attachment B - Bad River Band Water Quality Standards, # <a href="#">3</a> Attachment C - Bad River Reservation Wetland and Watercourse Protection Ordinance, # <a href="#">4</a> Attachment D - Bad River Band Environmental Response and Remediation Code, # <a href="#">5</a> Attachment E - Environmental Protection Agency Decision Document Approving Bad River Band's Application for Treatment in the Same Manner as a State for Sections 303(c) and 401 of the Clean Water Act, # <a href="#">6</a> Attachment F - Enbridge June 24, 2015 Integrity Dig Application Materials Excerpts, # <a href="#">7</a> Attachment G - Bad River Band Conditional Section 401 Certification for Integrity Dig, # <a href="#">8</a> Attachment H - Bad River Band Antidegradation Decision for Integrity Dig, # <a href="#">9</a> Attachment I - Bad River Band Wetland and Watercourse Protection Ordinance Permit for Integrity Dig Excerpts, # <a href="#">10</a> Attachment J - Enbridge August 31, 2016 Integrity Dig Application Materials Excerpts, # <a href="#">11</a> Attachment K - Enbridge December 1, 2016 Supplemental Integrity Dig Application Materials Excerpts, # <a href="#">12</a> Attachment L - Enbridge December 6, 2019 Bad River Meander Tree Revetment Project Application Materials Excerpts, # <a href="#">13</a> Attachment M - Wright Water Engineers September 25, 2019 Comments on Enbridge's Proposed Slope 18 Remediation Project) (Kanji, Riyaz) Modified on 12/17/2019. (lak) (Entered: 12/17/2019)</p>
12/17/2019	<a href="#">46</a>	<p>Declaration of Philip H. Tinker filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendants Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Naomi Tillison re: <a href="#">43</a> Motion to Stay, (Attachments: # <a href="#">1</a> Attachment A - November 15, 2019 E-mail from Nemeroff to Bad River Counsel, # <a href="#">2</a> Attachment B - November 15, 2019 E-mail from Albright to Enbridge Counsel) (Kanji, Riyaz) Modified on 12/17/2019. (lak) (Entered: 12/17/2019)</p>
12/23/2019	<a href="#">47</a>	<p>Brief in Reply by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. in Support of <a href="#">43</a> Motion to Stay <i>Nuisance Discovery and Bifurcate Trial</i>, (Attachments: # <a href="#">1</a> Exhibit D - Enbridge's Objections and Response to Plaintiff's Document Requests) (Feinberg, David) Modified on 12/26/2019. (lak) (Entered: 12/23/2019)</p>

12/23/2019	<a href="#">48</a>	Declaration of April Holdren filed by Defendant Enbridge Energy, L.P. <i>in Support of Reply</i> re: <a href="#">43</a> Motion to Stay, (Attachments: # <a href="#">1</a> Exhibit A - 9.17.19 Slope 18 Integrity Assessment, # <a href="#">2</a> Exhibit B - 9.17.19 Slope 18 Erosion Study, # <a href="#">3</a> Exhibit C - 12.19.19 Slope 18 Project Application, # <a href="#">4</a> Exhibit D - 12.19.19 Meander OCEP Application, # <a href="#">5</a> Exhibit E - 12.6.19 Tree Revetment Project Application, # <a href="#">6</a> Exhibit F - 11.21.19 D. Feinberg Letter to Band, # <a href="#">7</a> Exhibit G - 12.10.19 Slope 18 Integrity Summary) (Feinberg, David) Modified on 12/26/2019. (lak) (Entered: 12/23/2019)
01/15/2020	<a href="#">49</a>	Stipulated Motion for Protective Order <i>Regarding the Disclosure and Use of Protected Information</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P., Counter Claimant Enbridge Energy, L.P. (Davis, Michael) (Entered: 01/15/2020)
01/16/2020	50	<b>** TEXT ONLY ORDER **</b> The parties' proposed stipulated protective order (dkt. <a href="#">49</a> ) is accepted and entered as the court's order. Signed by Magistrate Judge Stephen L. Crocker on 1/16/2020. (voc) (Entered: 01/16/2020)
09/04/2020	<a href="#">51</a>	Motion to Compel <i>to Permit Entry onto the Reservation to Inspect Lands</i> by Defendant Enbridge Energy, L.P.. Motions referred to Magistrate Judge Stephen L. Crocker. Response due 9/11/2020. (Attachments: # <a href="#">1</a> Exhibit A - Rule 34 Requests, # <a href="#">2</a> Exhibit B - Meet and Confer Emails, # <a href="#">3</a> Exhibit C - Band's First Set of Document Requests to Enbridge, # <a href="#">4</a> Exhibit D - Band NRD Aug. 13, 2020 Email, # <a href="#">5</a> Exhibit E - May 7, 2020 Access Request to Band NRD, # <a href="#">6</a> Text of Proposed Order) (Feinberg, David) (Entered: 09/04/2020)
09/08/2020		Set Telephone Motion Hearing as to <a href="#">51</a> Motion to Compel <i>to Permit Entry onto the Reservation to Inspect Lands</i> . Telephone Motion Hearing set for 9/15/2020 at 03:00 PM before Magistrate Judge Stephen L. Crocker. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264-5153. (voc) (Entered: 09/08/2020)
09/08/2020	52	<b>** TEXT ONLY ORDER **</b> The parties have sent a joint letter via email to the judges handling this case. This is not an appropriate way to communicate with the court. The letter should have been submitted to the case file and docketed. Parties should not communicate with chambers via email. Next, this court does not provide alternate trial dates to parties in a scheduled case absent a motion and some showing as to why a new date is needed and how much time is needed. That said, the court has set a telephonic hearing for September 15, 2020 on the pending motion to compel, dkt. <a href="#">51</a> . The court would be willing to listen to the parties' scheduling concerns at that time, although how the court responds to them depends on what they are. Signed by Magistrate Judge Stephen L. Crocker on 9/8/2020. (voc) (Entered: 09/08/2020)
09/08/2020	<a href="#">53</a>	Joint Letter to the Court Regarding Case Scheduling. (voc/slc) (Entered: 09/08/2020)

09/10/2020	<a href="#">54</a>	Notice of Withdrawal of Motion by Defendant Enbridge Energy Partners, L.P. re <a href="#">51</a> Motion to Compel <i>to Permit Entry onto the Reservation to Inspect Lands</i> filed by Enbridge Energy, L.P. . (Nemeroff, Justin) (Entered: 09/10/2020)
09/10/2020	55	<b>** TEXT ONLY ORDER **</b> Defendant has withdrawn its pending discovery motion (dkt. <a href="#">51</a> ), but the parties jointly request that the court maintain the September 15 telephonic hearing for the purpose of discussing their scheduling concerns. The court will grant this request and hold the hearing on the condition that not later than September 14, 2020, the parties submit a letter outlining the nature of their concerns and what sort of scheduling relief they might choose to seek. Signed by Magistrate Judge Stephen L. Crocker on 9/10/2020. (voc) (Entered: 09/10/2020)
09/14/2020	<a href="#">56</a>	Response re: 55 Text Only Order,, <i>Joint Letter of the Parties</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. (Feinberg, David) (Entered: 09/14/2020)
09/15/2020		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Scheduling Conference held on 9/15/2020 [:10] (skv) (Entered: 09/15/2020)
09/15/2020	57	<b>** TEXT ONLY ORDER **</b> At a September 15, 2020 telephonic status conference, the court set October 16, 2020 as the deadline for plaintiff to move for leave to file a second amended complaint. Not later than October 30, 2020, the parties must submit their rescheduling proposal(s), after which the court will strike the existing schedule and reset all dates. The parties had no other matters to bring to the court's attention. Signed by Magistrate Judge Stephen L. Crocker on 9/15/2020. (voc) (Entered: 09/15/2020)
09/22/2020	<a href="#">58</a>	Motion to Admit Mary J Pavel Pro Hac Vice. ( Pro Hac Vice fee \$ 100 receipt number 0758-2752017.) by Interested Party Great Lakes Indian Fish and Wildlife Commission. Motions referred to Magistrate Judge Stephen L. Crocker. (Pavel, Mary) (Entered: 09/22/2020)
09/23/2020	59	<b>** TEXT ONLY ORDER **</b> ORDER granting <a href="#">58</a> Motion to Admit Mary J. Pavel Pro Hac Vice. Signed by Magistrate Judge Peter A. Oppeneer on 9/23/2020. (voc) (Entered: 09/23/2020)
09/23/2020	<a href="#">60</a>	Motion to Quash by Interested Party Great Lakes Indian Fish and Wildlife Commission. Motions referred to Magistrate Judge Stephen L. Crocker. Response due 9/30/2020. (Attachments: # <a href="#">1</a> Exhibit Enbridge Inc. Subpoena to GLIFWC) (Pavel, Mary) (Entered: 09/23/2020)
09/23/2020	<a href="#">61</a>	Brief in Support of <a href="#">60</a> Motion to Quash, by Interested Party Great Lakes Indian Fish and Wildlife Commission (Attachments: # <a href="#">1</a> Exhibit Exhibit A, GLIFWC Constitution, # <a href="#">2</a> Exhibit Exhibit B, Voight Task Force Charter, # <a href="#">3</a> Exhibit Exhibit C, Fisheries Committee Charter, # <a href="#">4</a> Exhibit Exhibit D, Order on Reconsideration, # <a href="#">5</a> Text of Proposed Order Text of Proposed Order) (Pavel, Mary) (Entered: 09/23/2020)

09/23/2020	<a href="#">62</a>	Declaration of Michael J. Isham, Jr. filed by Interested Party Great Lakes Indian Fish and Wildlife Commission re: <a href="#">60</a> Motion to Quash, (Pavel, Mary) (Entered: 09/23/2020)
09/23/2020		Set/Reset Briefing Deadlines as to <a href="#">60</a> Motion to Quash. Brief in Opposition due 10/7/2020. Brief in Reply due 10/14/2020. (jls) (Entered: 09/23/2020)
09/24/2020	<a href="#">63</a>	Third Party Motion to Quash <i>Enbridge Subpoena</i> by Petitioner Red Cliff Band Of Lake Superior Chippewa Indians. Motions referred to Magistrate Judge Stephen L. Crocker. Response due 10/1/2020. (Williams, Wade) Modified on 10/8/2020 (voc). (Entered: 09/24/2020)
09/24/2020	<a href="#">64</a>	Brief in Support of <a href="#">63</a> Motion to Quash <i>Enbridge Subpoena</i> by Petitioner Red Cliff Band Of Lake Superior Chippewa Indians (Williams, Wade) (Entered: 09/24/2020)
09/24/2020	<a href="#">65</a>	Declaration of David M. Ujke filed by Petitioner Red Cliff Band Of Lake Superior Chippewa Indians re: <a href="#">63</a> Motion to Quash (Attachments: # <a href="#">1</a> Exhibit A - Enbridge Subpoena 9/10/2020, # <a href="#">2</a> Exhibit B - Judge Shabaz Order Quashing Subpoena (1993)) (Williams, Wade) (Entered: 09/24/2020)
09/24/2020		Set/Reset Briefing Deadlines as to <a href="#">63</a> Third Party Motion to Quash <i>Enbridge Subpoena</i> . Brief in Opposition due 10/7/2020. Brief in Reply due 10/14/2020. (voc/slc) (Entered: 09/24/2020)
10/05/2020	<a href="#">66</a>	Consent Motion for Extension of Time <i>to Respond to GLIFWC's Motion to Quash</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. Motions referred to Magistrate Judge Stephen L. Crocker. (Feinberg, David) (Entered: 10/05/2020)
10/06/2020	67	<b>** TEXT ONLY ORDER **</b> ORDER granting <a href="#">66</a> Motion for Extension of Time. Brief in Opposition due 10/21/2020. Brief in Reply due 10/28/2020. Signed by Magistrate Judge Stephen L. Crocker on 10/6/2020. (voc) (Entered: 10/06/2020)
10/07/2020	<a href="#">68</a>	Notice by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. re <a href="#">63</a> Third Party Motion to Quash <i>Enbridge Subpoena Withdrawing Subpoena to Red Cliff Band</i> . (Feinberg, David) Modified on 10/8/2020 (voc). (Entered: 10/07/2020)
10/08/2020	69	<b>** TEXT ONLY ORDER **</b> The court accepts Enbridge's withdrawal of the subpoena challenged by Red Cliff (dkt. <a href="#">60</a> ) and denies the motion to quash as moot. Signed by Magistrate Judge Stephen L. Crocker on 10/8/2020. (voc) (Entered: 10/08/2020)
10/16/2020	<a href="#">70</a>	Motion to Amend <a href="#">34</a> Amended Complaint, by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendants Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Naomi Tillison. Brief in Opposition due 10/23/2020. Brief in Reply due 10/30/2020. (Attachments: # <a href="#">1</a> Disregard., # <a href="#">2</a> Proposed Amended Complaint) (Kanji, Riyaz)Email sent to filer re Brief in Support. Modified on 10/19/2020 (voc). Modified on 10/22/2020. (lak) (Entered: 10/16/2020)



10/19/2020	71	<p><b>** TEXT ONLY ORDER **</b></p> <p>Plaintiff's unopposed motion for leave to file a second amended complaint (dkt. # <a href="#">70</a>) is GRANTED. Plaintiff is directed to file its second amended complaint. Defendants may have until November 9, 2020, to answer, move or otherwise respond to the second amended complaint. Signed by District Judge William M. Conley on 10/19/2020. (voc) (Entered: 10/19/2020)</p>
10/19/2020	<a href="#">72</a>	<p>Brief in Support of <a href="#">70</a> Motion to Amend Complaint,, by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendants Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Naomi Tillison (Kanji, Riyaz) (Entered: 10/19/2020)</p>
10/19/2020	<a href="#">73</a>	<p>AMENDED COMPLAINT (<i>Second</i>) against Enbridge Energy Company, Inc., Enbridge Energy, L.P., filed by Naomi Tillison, Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 10/19/2020)</p>
10/21/2020	<a href="#">74</a>	<p>Notice by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. re <a href="#">61</a> Brief in Support, <i>Notice of Withdrawing Subpoena to GLIFWC</i>. (Feinberg, David) (Entered: 10/21/2020)</p>
10/27/2020	<a href="#">75</a>	<p>Consent Motion for Extension of Time to Submit Rescheduling Proposal or Proposals by Counter Claimants Enbridge Energy Company, Inc., Enbridge Energy, L.P., Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. (Varshovi, Zakariya) (Entered: 10/27/2020)</p>
10/28/2020	76	<p><b>** TEXT ONLY ORDER **</b></p> <p>ORDER granting <a href="#">75</a> Consent Motion for Extension of Time to Submit Rescheduling Proposal or Proposals. Signed by Magistrate Judge Stephen L. Crocker on 10/28/2020. (voc) (Entered: 10/28/2020)</p>
11/09/2020	<a href="#">77</a>	<p>ANSWER to Amended Complaint (<i>Second</i>), COUNTERCLAIM against Plaintiff, by Counter Claimants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. (Attachments: # <a href="#">1</a> Exhibit A - 1992 Agreement, # <a href="#">2</a> Exhibit B - 50 Year Easement, # <a href="#">3</a> Exhibit C - Map of Bad River Reservation, # <a href="#">4</a> Exhibit D - Letter to Band, # <a href="#">5</a> Exhibit E - Band Press Release) (Feinberg, David) Modified on 11/10/2020. (lak) (Entered: 11/09/2020)</p>
11/09/2020	<a href="#">78</a>	<p>Motion to Join <i>the Band's Cotenants</i> <a href="#">72</a> Brief in Support, by Defendant Enbridge Energy, L.P.. (Attachments: # <a href="#">1</a> Exhibit A - Band Amended Initial Disclosures, # <a href="#">2</a> Text of Proposed Order) (Feinberg, David) (Entered: 11/09/2020)</p>
11/09/2020	<a href="#">79</a>	<p>Status Report , <i>Joint Rescheduling Proposal</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Feinberg, David) Modified on 11/10/2020 (voc). (Entered: 11/09/2020)</p>
11/10/2020		<p>Set Briefing Deadlines as to <a href="#">78</a> Motion to Join <i>the Band's Cotenants</i> <a href="#">72</a> Brief in Support by Defendant Enbridge Energy, L.P. Brief in Opposition due 11/23/2020. Brief in Reply due 12/3/2020. (voc/bw) (Entered: 11/10/2020)</p>

11/23/2020	<a href="#"><u>80</u></a>	Brief in Opposition by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendants Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Naomi Tillison re: <a href="#"><u>78</u></a> Motion for Join filed by Enbridge Energy, L.P. (Kanji, Riyaz) (Entered: 11/23/2020)
11/23/2020	<a href="#"><u>81</u></a>	Declaration of Susan Smith filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendants Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Naomi Tillison re: <a href="#"><u>78</u></a> Motion for Join (Attachments: # <a href="#"><u>1</u></a> Exhibit A - Title Status Report for Tract 430 3H308, # <a href="#"><u>2</u></a> Exhibit B - Title Status Report for Tract 430 R 154, # <a href="#"><u>3</u></a> Exhibit C - Title Status Report for Tract 430 3H322, # <a href="#"><u>4</u></a> Exhibit D - Title Status Report for Tract 430 S 13, # <a href="#"><u>5</u></a> Exhibit E - Title Status Report for Tract 430 E 266, # <a href="#"><u>6</u></a> Exhibit F - Letter dated November 5, 2020) (Kanji, Riyaz) Modified on 11/24/2020: Added exhibit descriptions. E-mail sent to counsel. (lak) (Entered: 11/23/2020)
12/03/2020	<a href="#"><u>82</u></a>	Brief in Reply by Defendant Enbridge Energy, L.P. in Support of <a href="#"><u>78</u></a> Motion for Join <i>Cotenants</i> (Attachments: # <a href="#"><u>1</u></a> Exhibit A - Enbridge Letter to Great Lakes Agency) (Feinberg, David) (Entered: 12/03/2020)
01/15/2021	<a href="#"><u>83</u></a>	Unopposed Motion to Amend <a href="#"><u>73</u></a> Amended Complaint by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendant Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. Brief in Opposition due 1/22/2021. Brief in Reply due 1/29/2021. (Attachments: # <a href="#"><u>1</u></a> Proposed Amended Complaint) (Kanji, Riyaz) Modified on 1/19/2021. (lak) (Entered: 01/15/2021)
01/15/2021	<a href="#"><u>84</u></a>	Brief in Support of <a href="#"><u>83</u></a> Motion to Amend Complaint, by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendant Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 01/15/2021)
01/25/2021	<a href="#"><u>85</u></a>	Notice by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendant Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#"><u>83</u></a> Unopposed Motion to Amend <a href="#"><u>73</u></a> Amended Complaint , <a href="#"><u>84</u></a> Brief in Support, (Attachments: # <a href="#"><u>1</u></a> Revised Proposed Third Amended Complaint) (Kanji, Riyaz) Modified on 1/26/2021. (lak) (Entered: 01/25/2021)
01/27/2021	<a href="#"><u>86</u></a>	Notice of Appearance filed by Sarah E. Siskind for Movant Sierra Club. (Siskind, Sarah) (Entered: 01/27/2021)
01/27/2021	<a href="#"><u>87</u></a>	Motion to Quash <i>Subpoena</i> by Movant Sierra Club. Motions referred to Magistrate Judge Stephen L. Crocker. Response due 2/3/2021. (Siskind, Sarah) (Entered: 01/27/2021)
01/27/2021	<a href="#"><u>88</u></a>	Brief in Support of <a href="#"><u>87</u></a> Motion to Quash by Movant Sierra Club (Siskind, Sarah) (Entered: 01/27/2021)

01/29/2021	<a href="#">89</a>	Motion to Compel <i>Production of Documents Responsive to Request for Production Nos. 29-31</i> by Counter Claimants Enbridge Energy, L.P., Enbridge Energy, L.P., Defendant Enbridge Energy, L.P.. Motions referred to Magistrate Judge Stephen L. Crocker. Response due 2/5/2021. (Attachments: # <a href="#">1</a> Exhibit A - BRB001144-BRB001146, # <a href="#">2</a> Exhibit B - Enbridge's First Set of Doc Requests to BRB, # <a href="#">3</a> Exhibit C - BRB Objections and Responses to Enbridge's First RFPs, # <a href="#">4</a> Exhibit D - Jan. 31, 2020 Letter from C. Albright to D. Feinberg, # <a href="#">5</a> Exhibit E - Feb. 27, 2020 Letter from C. Albright to D. Feinberg, # <a href="#">6</a> Exhibit F - Mar. 19, 2020 Letter from C. Albright to D. Feinberg, # <a href="#">7</a> Exhibit G - Mar. 26, 2020 Letter from C. Albright to D. Feinberg, # <a href="#">8</a> Exhibit H - Jan. 4, 2021 Email from P. Tinker to D. Feinberg, # <a href="#">9</a> Exhibit I - Feb. 7, 2014 Letter from EPA Region 5 Water Division Director to Chairman Wiggins, # <a href="#">10</a> Exhibit J - July 19, 2013 Letter from Congressman Sean P. Duffy to EPA Region 5 Regional Administrator) (Feinberg, David) (Entered: 01/29/2021)
02/03/2021	<a href="#">90</a>	Brief in Opposition by Counter Claimant Enbridge Energy, L.P., Defendant Enbridge Energy, L.P. re: <a href="#">87</a> Motion to Quash filed by Sierra Club (Attachments: # <a href="#">1</a> Exhibit BRB001144-BRB001146, # <a href="#">2</a> Exhibit BRB's 2nd Set of RFPs, # <a href="#">3</a> Exhibit 1.4.21 Email from P. Tinker to D. Feinberg, et al.) (Feinberg, David) (Entered: 02/03/2021)
02/03/2021	<a href="#">91</a>	Motion to Compel <i>Sierra Club to Produce Documents</i> by Counter Claimant Enbridge Energy, L.P., Defendant Enbridge Energy, L.P.. Motions referred to Magistrate Judge Stephen L. Crocker. Response due 2/10/2021. (Attachments: # <a href="#">1</a> Exhibit BRB001144-BRB001146, # <a href="#">2</a> Exhibit BRB's 2nd Set of RFPs, # <a href="#">3</a> Exhibit 1.4.21 Email from P. Tinker to D. Feinberg, et al.) (Feinberg, David) (Entered: 02/03/2021)
02/04/2021	<a href="#">92</a>	Motion for Extension of Time <i>to File Response</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendants Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Naomi Tillison. Motions referred to Magistrate Judge Stephen L. Crocker. (Kanji, Riyaz) (Entered: 02/04/2021)
02/04/2021	93	<b>** TEXT ONLY ORDER **</b> ORDER granting <a href="#">92</a> Motion for Extension of Time. Brief in Opposition due 2/12/2021. Signed by Magistrate Judge Stephen L. Crocker on 2/4/2021. (jls) (Entered: 02/04/2021)
02/10/2021	<a href="#">94</a>	Brief in Opposition by Movant Sierra Club re: <a href="#">91</a> Motion to Compel, filed by Enbridge Energy, L.P. (Attachments: # <a href="#">1</a> Exhibit A - Blustein Decl.) (Siskind, Sarah) (Entered: 02/10/2021)
02/12/2021	<a href="#">95</a>	Brief in Opposition by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendants Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Naomi Tillison re: <a href="#">89</a> Motion to Compel, filed by Enbridge Energy, L.P. (Kanji, Riyaz) (Entered: 02/12/2021)



02/12/2021	<a href="#">96</a>	Declaration of Philip H. Tinker filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendants Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Naomi Tillison re: <a href="#">89</a> Motion to Compel, (Attachments: # <a href="#">1</a> Attachment A - Defendants' First Set of Interrogatories, # <a href="#">2</a> Attachment B - Defendants' Second Set of Interrogatories, # <a href="#">3</a> Attachment C - Defendants' Third Set of Interrogatories, # <a href="#">4</a> Attachment D - Defendants' Fourth Set of Interrogatories, # <a href="#">5</a> Attachment E - Defendants' Fifth Set of Interrogatories, # <a href="#">6</a> Attachment F - Defendants' Sixth Set of Interrogatories, # <a href="#">7</a> Attachment G - Defendants' Seventh Set of Interrogatories, # <a href="#">8</a> Attachment H - Defendants' First Requests for Production of Documents, # <a href="#">9</a> Attachment I - Defendants' Second Requests for Production of Documents, # <a href="#">10</a> Attachment J - Defendants' Third Set of Requests for Production of Documents, # <a href="#">11</a> Attachment K - Defendants' Fourth Set of Requests for Production of Documents, # <a href="#">12</a> Attachment L - Defendants' Fifth Set of Requests for Production of Documents, # <a href="#">13</a> Attachment M - Defendants' Sixth Set of Requests for Production of Documents, # <a href="#">14</a> Attachment N - Defendants' Seventh Set of Requests for Production of Documents) (Kanji, Riyaz) Modified on 2/16/2021. (lak) (Entered: 02/12/2021)
02/17/2021	<a href="#">97</a>	Motion to Compel <i>Documents from Individual Band Members</i> by Counter Claimants Enbridge Energy, L.P., Enbridge Energy, L.P., Defendant Enbridge Energy, L.P.. Motions referred to Magistrate Judge Stephen L. Crocker. Response due 2/24/2021. (Attachments: # <a href="#">1</a> Exhibit A - February 10, 2021 Objections of Subpoenaed Band Members, # <a href="#">2</a> Exhibit B - September 7, 2019 Mike Wiggins, Jr. Facebook Post, # <a href="#">3</a> Exhibit C - January 12, 2021 Subpoenas, # <a href="#">4</a> Exhibit D - September 7, 2019, Rick Olivo -Enbridge draws ire for pipeline rerouting survey-, # <a href="#">5</a> Exhibit E - September 13, 2019 Mike Wiggins Jr. Facebook Post, # <a href="#">6</a> Exhibit F (Filed Under Seal) - Contemporaneous Enbridge-Bad River e-mail, September 15, 2019, # <a href="#">7</a> Exhibit G - March 9, 2020 Email from S. Schachameyer Gmail account to Bad River account, # <a href="#">8</a> Exhibit H - October 2, 2019 Email from Dylan Jennings Gmail account to N. Tillis, # <a href="#">9</a> Exhibit I - January 4, 2021 Email from P. Tinker to D. Feinberg, et al, # <a href="#">10</a> Exhibit J - Declaration of Yaniv Schiff, # <a href="#">11</a> Exhibit K - February 16, 2021 Email from P. Tinker to D. Feinberg, et al) (Feinberg, David) (Entered: 02/17/2021)
02/17/2021	<a href="#">98</a>	Exhibit to <a href="#">97</a> Motion to Compel, filed by Enbridge Energy, L.P. ( <u><a href="#">Sealed Document</a></u> ) (Feinberg, David) (Entered: 02/17/2021)
02/18/2021	<a href="#">99</a>	Declaration of Yaniv Schiff filed by Counter Claimants Enbridge Energy, L.P., Enbridge Energy, L.P., Defendant Enbridge Energy, L.P. <i>in Support</i> re: <a href="#">97</a> Motion to Compel. (Feinberg, David) (Entered: 02/18/2021)

02/24/2021	<a href="#">100</a>	Notice of Appearance filed by Philip Tinker for Interested Party Michael Wiggins, Jr. (Tinker, Philip) (Entered: 02/24/2021)
02/24/2021	<a href="#">101</a>	Notice of Appearance filed by Philip Tinker for Interested Party Dylan Jennings. (Tinker, Philip) (Entered: 02/24/2021)
02/24/2021	<a href="#">102</a>	Notice of Appearance filed by Philip Tinker for Interested Party Etta Burns. (Tinker, Philip) (Entered: 02/24/2021)
02/24/2021	<a href="#">103</a>	Notice of Appearance filed by Philip Tinker for Interested Party Shea Schachameyer. (Tinker, Philip) (Entered: 02/24/2021)
02/24/2021	<a href="#">104</a>	Brief in Opposition by Interested Parties Etta Burns, Dylan Jennings, Shea Schachameyer, Michael Wiggins, Jr re: <a href="#">97</a> Motion to Compel,,, filed by Enbridge Energy, L.P. ( <a href="#">Sealed Document</a> ) (Tinker, Philip) (Entered: 02/24/2021)
02/24/2021	<a href="#">105</a>	Declaration of Erick Arnold filed by Interested Parties Etta Burns, Dylan Jennings, Shea Schachameyer, Michael Wiggins, Jr re: <a href="#">97</a> Motion to Compel,,, (Attachments: # <a href="#">1</a> Jan 2019 Draft Report Enb Line 5 BR Bend Migration Study, # <a href="#">2</a> Jan 2019 Email April Holdren, # <a href="#">3</a> July 2019 Emails Byron Neiles and Brad Shamla, # <a href="#">4</a> Mar 2020 Emails Enbridge Pipeline Integrity Project List, # <a href="#">5</a> Enbridge Subpoena to Produce Documents served on NRCS, # <a href="#">6</a> Enbridge Subpoena to Produce Documents served on US Geological Survey, # <a href="#">7</a> Enbridge Subpoena to Produce Documents served on Red Cliff Band of Lake Superior Chippewa, # <a href="#">8</a> Enbridge Subpoena to Produce Documents served on Great Lakes Indian Fish and Wildlife Commission, # <a href="#">9</a> Enbridge Subpoena to Produce Documents served on Sierra Club Wisconsin, # <a href="#">10</a> Enbridge Subpoena to Produce Documents served on National Wildlife Federation, # <a href="#">11</a> Enbridge Subpoena to Produce Documents served on Wisconsin Green Fire Inc, # <a href="#">12</a> Memorandum in Support of Motion to Compel National Wildlife Federation, # <a href="#">13</a> Email from Four Individuals to Enbridge Counsel to Discuss Objections to Enbridge Subpoenas) (Tinker, Philip) (Entered: 02/24/2021)
02/24/2021	<a href="#">106</a>	Exhibit to <a href="#">97</a> Motion to Compel,,, filed by Enbridge Energy, L.P. <i>Sealed Attachment C to Arnold Decl. 105</i> ( <a href="#">Sealed Document</a> ) (Tinker, Philip) (Entered: 02/24/2021)
02/24/2021	<a href="#">107</a>	Exhibit to <a href="#">97</a> Motion to Compel,,, filed by Enbridge Energy, L.P. <i>Sealed Attachment D to Arnold Decl. 105</i> ( <a href="#">Sealed Document</a> ) (Tinker, Philip) (Entered: 02/24/2021)
02/26/2021	<a href="#">108</a>	Motion to Strike <a href="#">105</a> Declaration,,, of Erick Arnold by Counter Claimants Enbridge Energy Company, Inc., Enbridge Energy Company, Inc., Enbridge Energy, L.P., Enbridge Energy, L.P., Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. Brief in Opposition due 3/12/2021. Brief in Reply due 3/19/2021. (Feinberg, David) (Entered: 02/26/2021)
02/26/2021	<a href="#">109</a>	Redaction to <a href="#">104</a> Brief in Opposition by Interested Parties Etta Burns, Dylan Jennings, Shea Schachameyer, Michael Wiggins, Jr (Tinker, Philip) (Entered: 02/26/2021)

02/26/2021	<a href="#">110</a>	Redaction to <a href="#">107</a> Exhibit by Interested Parties Etta Burns, Dylan Jennings, Shea Schachameyer, Michael Wiggins, Jr (Tinker, Philip) (Entered: 02/26/2021)
02/26/2021	<a href="#">111</a>	Redaction to <a href="#">106</a> Exhibit by Interested Parties Etta Burns, Dylan Jennings, Shea Schachameyer, Michael Wiggins, Jr (Tinker, Philip) (Entered: 02/26/2021)
03/23/2021	112	<p><b>** TEXT ONLY ORDER **</b></p> <p>The parties' joint rescheduling proposal (dkt. <a href="#">79</a> ) is accepted by the court in this fashion: the remainder of the existing schedule is struck. The court will hold a telephonic status and scheduling conference on April 30, 2021 at 1:00 p.m. By then the court anticipates ruling on the pending substantive motions (dks. <a href="#">43</a> , <a href="#">78</a> and <a href="#">83</a> ) and discovery motions (dks. <a href="#">87</a> , <a href="#">89</a> , <a href="#">91</a> , and <a href="#">97</a> ). Signed by Magistrate Judge Stephen L. Crocker on 3/23/2021.</p> <p>Telephone Status and Scheduling Conference set for 4/30/2021 at 01:00 PM. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264-5153. (voc) (Entered: 03/23/2021)</p>
03/29/2021	<a href="#">113</a>	Motion to Compel <i>to Permit Entry Onto the Reservation to Appraise Lands</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P., Enbridge Energy, L.P., Enbridge Inc.. Motions referred to Magistrate Judge Stephen L. Crocker. Response due 4/5/2021. (Feinberg, David) (Entered: 03/29/2021)
03/29/2021	<a href="#">114</a>	Declaration of Edward Steigerwaldt filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P., Enbridge Energy, L.P., Enbridge Inc. <i>In Support of re: <a href="#">113</a> Motion to Compel</i> , (Feinberg, David) (Entered: 03/29/2021)
03/29/2021	<a href="#">115</a>	Declaration of Julie Kloss Molina filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P., Enbridge Energy, L.P., Enbridge Inc. <i>In Support of re: <a href="#">113</a> Motion to Compel</i> , (Feinberg, David) (Entered: 03/29/2021)
03/29/2021	<a href="#">116</a>	<p>Declaration of David L. Feinberg filed by Counter Claimant Enbridge Energy, L.P., Defendant Enbridge Energy, L.P. <i>In Support of re: <a href="#">113</a> Motion to Compel</i>, (Attachments:</p> <p># <a href="#">1</a> Exhibit Ex. A - 2019-02-13 Notes from February 13, 2019 Meeting,</p> <p># <a href="#">2</a> Exhibit Ex. B - 2021-03-12 Email from P. Tinker to D. Feinberg, et al.,</p> <p># <a href="#">3</a> Exhibit Ex. C - 2020-08-20 Expert Witness Access Protocol,</p> <p># <a href="#">4</a> Exhibit Ex. D - 2020-12-11 Email from Z. Varshovi to P. Tinker, et al.,</p> <p># <a href="#">5</a> Exhibit Ex. E - 2021_03_01 Email from Z. Varshovi to P. Tinker, et al.,</p> <p># <a href="#">6</a> Exhibit Ex. F - 2021-03-10 Emails between P. Tinker and Z. Varshovi, et al.,</p> <p># <a href="#">7</a> Exhibit Ex. G - 2021-03-11 Letter from D. Feinberg to P. Tinker, et al.,</p> <p># <a href="#">8</a> Exhibit Ex. H - 2021-03-18 Letter from D. Feinberg to P. Tinker, et al.,</p> <p># <a href="#">9</a> Exhibit Ex. I - 2021-03-19 Email from P. Tinker to D. Feinberg, et al.,</p> <p># <a href="#">10</a> Exhibit Ex. J - 2021-03-22 Email from P. Tinker to D. Feinberg, et al.,</p> <p># <a href="#">11</a> Exhibit Ex. K - 2021-03-17 BRB Burn Ban Notice) (Feinberg, David) (Entered: 03/29/2021)</p>

04/05/2021	<a href="#">117</a>	Brief in Opposition by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendants Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Naomi Tillison re: <a href="#">113</a> Motion to Compel, filed by Enbridge Energy Company, Inc., Enbridge Inc., Enbridge Energy, L.P., Enbridge Energy Partners, L.P. (Kanji, Riyaz) (Entered: 04/05/2021)
04/05/2021	<a href="#">118</a>	Declaration of Benjamen Connors filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendants Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Naomi Tillison re: <a href="#">113</a> Motion to Compel, (Attachments: # <a href="#">1</a> Attachment A - 03-16-2021 MP1170 Slope 18 Restoration Report, # <a href="#">2</a> Attachment B - Amended Antidegradation Decision for Slope 18 Remediation Work, # <a href="#">3</a> Attachment C - 2021-03-13 EnbridgeEnergy Slope 18 Repair, Signed, # <a href="#">4</a> Attachment D - 2021-03-08 EnbridgeEnergy Slope 18 NWHI inspections, Signed, Revised 2021-03-22, # <a href="#">5</a> Attachment E - March 27 Photograph of Reservation Ground Conditions, # <a href="#">6</a> Attachment F - March 27 Photograph of Reservation Ground Conditions) (Kanji, Riyaz) Modified on 4/6/2021. (lak) (Entered: 04/05/2021)
04/05/2021	<a href="#">119</a>	Declaration of Philip H. Tinker filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendants Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Naomi Tillison re: <a href="#">113</a> Motion to Compel, (Attachments: # <a href="#">1</a> Attachment A - Tinker/Feinberg e-mail correspondence 04-05-2021) (Kanji, Riyaz) Modified on 4/6/2021. (lak) (Entered: 04/05/2021)
04/09/2021	<a href="#">120</a>	Notice by Counter Claimant Enbridge Energy, L.P., Defendant Enbridge Energy, L.P. re <a href="#">113</a> Motion to Compel <i>to Permit Entry Onto the Reservation to Appraise Lands</i> . (Feinberg, David) (Entered: 04/09/2021)
04/14/2021	<a href="#">121</a>	Notice of Withdrawal of Motion by Counter Claimant Enbridge Energy, L.P. re <a href="#">113</a> Motion to Compel <i>to Permit Entry Onto the Reservation to Appraise Lands</i> filed by Enbridge Energy Company, Inc., Enbridge Inc., Enbridge Energy, L.P., Enbridge Energy Partners, L.P. . (Feinberg, David) (Entered: 04/14/2021)
04/15/2021	<a href="#">122</a>	ORDER granting in part and denying in part <a href="#">43</a> Motion to Stay Nuisance Discovery and Bifurcate Trial by Defendants Enbridge Energy Company, Inc. and Enbridge Energy, L.P. ; Denying <a href="#">78</a> Motion to Join the Band's co-tenants; Granting <a href="#">83</a> Motion to Amend Complaint by plaintiff. Plaintiff should promptly file its third amended complaint as a separate docket entry. Defendants may have until May 5, 2021, to answer, move or otherwise respond. Signed by District Judge William M. Conley on 4/15/2021. (voc) (Entered: 04/15/2021)
04/20/2021	<a href="#">123</a>	AMENDED COMPLAINT ( <i>Third</i> ) against Enbridge Energy Company, Inc., Enbridge Energy, L.P., filed by Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 04/20/2021)

04/29/2021	<a href="#">124</a>	Status Report ( <i>Joint Scheduling Proposal</i> ) by Counter Claimants Enbridge Energy Company, Inc., Enbridge Energy Company, Inc., Enbridge Energy, L.P., Enbridge Energy, L.P., Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Feinberg, David) Modified on 4/30/2021. (lak) (Entered: 04/29/2021)
04/29/2021	<a href="#">125</a>	Motion to Admit Benjamin Blustein Pro Hac Vice. ( Pro Hac Vice fee \$ 100 receipt number 0758-2867483.) by Movant Sierra Club. Motions referred to Magistrate Judge Stephen L. Crocker. (Blustein, Benjamin) (Entered: 04/29/2021)
04/30/2021	126	<b>** TEXT ONLY ORDER **</b> ORDER granting <a href="#">125</a> Motion to Admit Benjamin Blustein Pro Hac Vice. Signed by Magistrate Judge Peter A. Oppeneer on 4/30/2021. (lak) (Entered: 04/30/2021)
04/30/2021	127	<b>** TEXT ONLY ORDER **</b> At an April 30, 2021 telephonic conference the court reset the schedule in consultation with the parties: Affirmative expert reports are due January 31, 2022, rebuttal reports by April 8, 2022. Dispositive motions must be filed not later than May 6, 2022. Discovery ends on June 17, 2022. Settlement letters are due to the Clerk of Court by September 2, 2022. Submissions for the final pretrial conference are due September 2, 2022, responses by September 23, 2022. The final pretrial conference will be October 4, 2022 at 4:00 p.m. Jury selection and trial will begin October 24, 2022 at 9:00 a.m. The parties continue to predict a four- to six-week trial. The court discussed several procedural issues with the parties but made no decisions. Signed by Magistrate Judge Stephen L. Crocker on 4/30/2021. (voc) (Entered: 04/30/2021)
04/30/2021		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Scheduling Conference held on 4/30/2021 [:20] (cak) (Entered: 04/30/2021)
04/30/2021	128	<b>** TEXT ONLY ORDER **</b> Magistrate Judge Crocker will be ruling on the pending motions involving third party Sierra Club, dkts. <a href="#">87</a> and <a href="#">91</a> . Not later than May 10, 2021, the concerned parties may, if they wish, update their submissions on these motions. (If either of these motions concerns other third parties, then their deadline to offer written input to the court also is May 10, 2021). The court will hold a telephonic hearing on these two motions on May 14, 2021 at 2:00 p.m., with Enbridge Energy arranging the conference call to chambers. Signed by Magistrate Judge Stephen L. Crocker on 4/30/2021. (voc) (Entered: 04/30/2021)
05/03/2021		Set Telephone Motion as to <a href="#">97</a> Motion to Compel <i>Documents from Individual Band Members</i> , <a href="#">108</a> Motion to Strike <a href="#">105</a> Declaration, of <i>Erick Arnold</i> , <a href="#">89</a> Motion to Compel <i>Production of Documents Responsive to Request for Production Nos. 29-31</i> . Telephone Motion Hearing set for 5/14/2021 at 11:00 AM before Judge William M. Conley. Counsel for Defendant responsible for setting up the call to chambers at (608) 264-5087. (voc/mh/bw) (Entered: 05/03/2021)
05/03/2021	<a href="#">129</a>	Consent Motion for Extension of Time to <i>Submit Rescheduling Proposal or Proposals</i> by Counter Claimants Enbridge Energy Company, Inc., Enbridge Energy Company, Inc., Enbridge Energy, L.P., Enbridge Energy, L.P., Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. Motions referred to Magistrate Judge Stephen L. Crocker. (Feinberg, David) Modified on 5/4/2021. (lak) (Entered: 05/03/2021)



05/04/2021	130	<b>** TEXT ONLY ORDER **</b> ORDER granting <a href="#">129</a> Motion for Extension of Time. Signed by Magistrate Judge Stephen L. Crocker on 5/4/2021. (voc) (Entered: 05/04/2021)
05/04/2021		Reset Answer Deadline: Enbridge Energy Company, Inc.and Enbridge Energy answer due 5/19/2021. (voc) (Entered: 05/04/2021)
05/10/2021	<a href="#">131</a>	Notice of Appearance filed by Robert Emanuel P Lundberg for Interested Party Midwest Environmental Advocates. (Lundberg, Robert) (Entered: 05/10/2021)
05/10/2021	<a href="#">132</a>	Response re: 128 Text Only Order,, by Interested Party Midwest Environmental Advocates. (Lundberg, Robert) (Entered: 05/10/2021)
05/10/2021	<a href="#">133</a>	Cross Motion to Compel <i>Sierra Club to Produce Documents, and Supplemental Briefing in Opposition to Motion to Quash</i> by Counter Claimants Enbridge Energy Company, Inc., Enbridge Energy Company, Inc., Enbridge Energy, L.P., Enbridge Energy, L.P., Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. Motions referred to Magistrate Judge Stephen L. Crocker. Response due 5/17/2021. (Attachments: # <a href="#">1</a> Exhibit A - Enbridge's Third Set of Requests for Production of Documents, # <a href="#">2</a> Exhibit B - April 29, 2021 Letter from B. Blustein to D. Feinberg, et al, # <a href="#">3</a> Exhibit C - Transcript of Enbridge v. NWF March 5, 2021 Hearing on Discovery Motions, # <a href="#">4</a> Exhibit D - NWF Opposition to Enbridge's Motion to Compel) (Feinberg, David) Modified on 5/19/2021 (voc/bw). (Entered: 05/10/2021)
05/10/2021	<a href="#">134</a>	Response re: 128 Text Only Order, ( <i>Update Regarding Pending Motions Concerning Enbridge's Third-Party Subpoena on Sierra Club</i> ) by Movant Sierra Club. (Blustein, Benjamin) Modified on 5/11/2021: There are three exhibits attached to this. (lak) (Entered: 05/10/2021)
05/10/2021	<a href="#">135</a>	Motion for Leave to File <i>Amicus Curiae Brief in Support of Non-Party Sierra Club's Motion to Quash</i> by Amicus National Wildlife Federation. (Skwierawski, Michael) (Entered: 05/10/2021)
05/10/2021	<a href="#">136</a>	Brief in Support of <a href="#">87</a> Motion to Quash, by Amicus National Wildlife Federation. (Skwierawski, Michael) Modified on 5/11/2021. (lak) (Entered: 05/10/2021)
05/10/2021	<a href="#">137</a>	Declaration of Ted A. Warpinski filed by Amicus National Wildlife Federation <a href="#">87</a> Motion to Quash. (Skwierawski, Michael) Modified on 5/11/2021. (lak) (Entered: 05/10/2021)
05/10/2021	<a href="#">138</a>	Declaration of Benjamin Kota filed by Amicus National Wildlife Federation re: <a href="#">87</a> Motion to Quash. (Skwierawski, Michael) Modified on 5/11/2021. (lak) (Entered: 05/10/2021)
05/10/2021	<a href="#">139</a>	Declaration of Michael Shriberg filed by Amicus National Wildlife Federation re: <a href="#">87</a> Motion to Quash. (Skwierawski, Michael) Modified on 5/11/2021. (lak) (Entered: 05/10/2021)
05/11/2021	140	<b>** TEXT ONLY ORDER **</b> Third Party NWF's motion for leave to file an amicus brief on the pending subpoena dispute is granted. If defendant wishes to respond in writing, it may do so by noon on May 13, 2021, but defendant is not required to do so in light of its other recent submissions regarding this dispute. Signed by Magistrate Judge Stephen L. Crocker

		on 5/11/2021. (jls) (Entered: 05/11/2021)
05/11/2021	<a href="#">141</a>	Notice of Appearance filed by Ted Anthony Warpinski for Amicus National Wildlife Federation. (Warpinski, Ted) (Entered: 05/11/2021)
05/11/2021	<a href="#">142</a>	Notice of Appearance filed by Tiffany Woelfel for Amicus National Wildlife Federation. (Woelfel, Tiffany) (Entered: 05/11/2021)
05/13/2021	<a href="#">143</a>	Response re: 140 Order on Motion for Leave to File, <i>Brief in Response to Amicus Curiae Brief filed by National Wildlife Federation</i> by Counter Claimants Enbridge Energy Company, Inc., Enbridge Energy Company, Inc., Enbridge Energy, L.P., Enbridge Energy, L.P., Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. (Feinberg, David) (Entered: 05/13/2021)
05/14/2021		Minute Entry for proceedings held before District Judge William M. Conley: Telephone Motion Hearing held on 5/14/2021 re <a href="#">97</a> Motion to Compel <i>Documents from Individual Band Members</i> filed by Enbridge Energy, L.P., <a href="#">89</a> Motion to Compel <i>Production of Documents Responsive to Request for Production Nos. 29-31</i> filed by Enbridge Energy, L.P. [:30] (mfh) (Entered: 05/14/2021)
05/14/2021	<a href="#">144</a>	ORDER granting in part and denying in part <a href="#">89</a> Motion to Compel Production of Documents; Denying <a href="#">97</a> Motion to Compel Documents from Individual Band Members and Denying as moot <a href="#">108</a> Motion to Strike Declaration of Erick Arnold. Signed by District Judge William M. Conley on 5/15/2021. (voc) (Entered: 05/14/2021)
05/14/2021	145	<b>** TEXT ONLY ORDER **</b> On May 14, 2021, the court held a telephonic hearing on third-party Sierra Club's motion to quash defendant Enbridge's Rule 45 subpoena (dkt. <a href="#">87</a> ) and Enbridge's counter-motion to enforce the subpoena (dkt. <a href="#">91</a> ). In discussion with the parties, the court granted each motion in part and denied each motion in part, in the manner and for the reasons stated. Bottom line: Sierra Club must disclose the 161 emails that it received from Band-affiliated individuals. Also, Enbridge and Sierra Club must meet and confer regarding disclosure of any Sierra Club emails sent solely to Band-affiliated email addresses. Each side will bear its own costs on these motions. Signed by Magistrate Judge Stephen L. Crocker on 5/14/2021. (voc) (Entered: 05/14/2021)
05/19/2021	<a href="#">146</a>	<i>SECOND AMENDED ANSWER</i> to Amended Complaint ( <i>Third</i> ), COUNTERCLAIM, filed by Enbridge Energy Company, Inc. and Enbridge Energy L.P. (Feinberg, David) Modified on 5/20/2021. (lak) (Entered: 05/19/2021)
05/24/2021	<a href="#">147</a>	Transcript of Telephonic Motion Hearing, held 5/14/2021 before Judge William M. Conley. Court Reporter: LS. Please review the court's new policy regarding electronic transcripts of court proceedings: see <a href="#">Electronic Transcript Instructions</a> . (voc) (Entered: 05/24/2021)
05/24/2021	<a href="#">148</a>	Transcript of Telephonic Motion Hearing, held 5/14/2021 before Magistrate Judge Stephen L. Crocker. Court Reporter: LS. Please review the court's new policy regarding electronic transcripts of court proceedings: see <a href="#">Electronic Transcript Instructions</a> . (voc) (Entered: 05/24/2021)
08/09/2021	<a href="#">149</a>	Supplement to 145 Order on Motion to Quash, Order on Motion to Compel, (Attachments: # <a href="#">1</a> Exhibit A - 5/24/2021 2:00 PM Transcript (Restricted),

		# <a href="#">2</a> Exhibit B - 5/24/2021 11:00 AM Transcript (Restricted), # <a href="#">3</a> Exhibit C - Email, # <a href="#">4</a> Exhibit D - Letter, # <a href="#">5</a> Exhibit E - Letter) (Blustein, Benjamin) Modified on 8/9/2021: E-mail sent to counsel. (lak) (Entered: 08/09/2021)
08/26/2021	<a href="#">150</a>	Renewed Motion to Compel and Response to Sierra Club's Supplemental Brief Regarding Third-Party Subpoena to Sierra Club by Counter Claimants Enbridge Energy Company, Inc., Enbridge Energy, L.P., Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. Motions referred to Magistrate Judge Stephen L. Crocker. Response due 9/2/2021. (Attachments: # <a href="#">1</a> Exhibit A - 2020.12.8 Email from M. Arik to S. Schachameyer, # <a href="#">2</a> Exhibit B - 2020.12.1 Email from M. Arik to G. Abramson, # <a href="#">3</a> Exhibit C - 2021.06.18 Email from B. Blustein to D. Feinberg, # <a href="#">4</a> Exhibit D - 2021.07.16 Letter from D. Feinberg to B. Blustein, # <a href="#">5</a> Exhibit E - 2021.08.4 Email from D. Feinberg to B. Blustein, # <a href="#">6</a> Exhibit F - 2020.11.3 Redacted Email from S. Schachameyer to L5 Coalition, # <a href="#">7</a> Exhibit G - 2019.9.13 Redacted E-mail from E. Arnold to E. Ward, # <a href="#">8</a> Exhibit H - 2019.12.13 Redacted E-mail from J. Strand to E. Ward, # <a href="#">9</a> Exhibit I - 2020.9.30 Redacted Email from A. Fergus to Line 5 Coalition) (Feinberg, David) Modified on 8/27/2021. (lak) (Entered: 08/26/2021)
08/27/2021	151	** TEXT ONLY ORDER ** The court is reserving its decision whether to hold a telephonic hearing on defendants' renewed motion to compel (dkt. <a href="#">150</a> ) until it has seen Sierra Club's response. As part of its response, Sierra Club is to submit ex parte for in camera review unredacted copies of the email strings that are at issue in this motion. Signed by Magistrate Judge Stephen L. Crocker on 8/27/2021. (voc) (Entered: 08/27/2021)
09/01/2021	<a href="#">152</a>	Unopposed Motion for Extension of Time by Movant Sierra Club. Motions referred to Magistrate Judge Stephen L. Crocker. (Attachments: # <a href="#">1</a> Text of Proposed Order) (Blustein, Benjamin) (Entered: 09/01/2021)
09/01/2021	153	** TEXT ONLY ORDER ** ORDER granting <a href="#">152</a> Motion for Extension of Time. Brief in Opposition due 9/9/2021. Signed by Magistrate Judge Stephen L. Crocker on 9/1/2021. (voc) (Entered: 09/01/2021)
09/03/2021	<a href="#">154</a>	Notice by Counter Claimant Enbridge Energy, L.P., Defendant Enbridge Energy, L.P. re <a href="#">150</a> Renewed Motion to Compel and Response to Sierra Club's Supplemental Brief Regarding Third-Party Subpoena to Sierra Club. (Feinberg, David) (Entered: 09/03/2021)
09/09/2021	<a href="#">155</a>	Brief in Opposition by Movant Sierra Club re: <a href="#">150</a> Motion to Compel filed by Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Attachments: # <a href="#">1</a> Exhibit A - Transcript of Telephonic Motions Hearing Held May 24, 2021, # <a href="#">2</a> Exhibit B - Transcript of Telephonic Motion Hearing Held May 24, 2021, # <a href="#">3</a> Exhibit C - E-mail dated June 18, 2021, # <a href="#">4</a> Exhibit D - Letter dated June 21, 2021) (Blustein, Benjamin) Modified on 9/10/2021: Phone call to counsel. (lak) (Entered: 09/09/2021)
12/21/2021	<a href="#">156</a>	Notice of Withdrawal of Counsel by Zakariya Varshovi re: Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Varshovi, Zakariya) (Entered: 12/21/2021)



01/26/2022	<a href="#">157</a>	Motion to Compel <i>Depositions of Bad River Band Tribal Council Members and Overrule Assertion of Legislative Privilege</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. Motions referred to Magistrate Judge Stephen L. Crocker. Response due 2/2/2022. (Attachments: # <a href="#">1</a> Exhibit A - Depo Notice to Chairman Wiggins, # <a href="#">2</a> Exhibit B - Depo Notice to Jennings, # <a href="#">3</a> Exhibit C - Depo Notice to McFee, # <a href="#">4</a> Exhibit D - 9.14.21 Letter from Band Counsel, # <a href="#">5</a> Exhibit E - 10.28.21 Letter from Enbridge Counsel, # <a href="#">6</a> Exhibit F - 11.19.21 Letter from Enbridge Counsel, # <a href="#">7</a> Exhibit G - 12.03.21 Letter from Band Counsel, # <a href="#">8</a> Exhibit H - Band Proposed Stipulation, # <a href="#">9</a> Exhibit I - Band Application to EPA, # <a href="#">10</a> Exhibit J - 12.10.21 Band Letter on Riprap Project, # <a href="#">11</a> Exhibit K - 12.22.20 Band Letter on HDD Project) (Feinberg, David) (Entered: 01/26/2022)
01/28/2022	<a href="#">158</a>	Unopposed Motion for Extension of Time to <i>File a Response to Defendants' Motion to Overrule Bad River Band Tribal Council Members' Assertion of Legislative Privilege</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendants Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. Motions referred to Magistrate Judge Stephen L. Crocker. (Kanji, Riyaz) (Entered: 01/28/2022)
01/28/2022	159	<b>** TEXT ONLY ORDER **</b> ORDER granting <a href="#">158</a> Motion for Extension of Time to File a Response to Defendants' Motion to Overrule Bad River Band Tribal Council Members' Assertion of Legislative Privilege. Brief in Opposition due 2/9/2022. Signed by Magistrate Judge Stephen L. Crocker on 1/28/2022. (voc) (Entered: 01/28/2022)
02/04/2022	<a href="#">160</a>	Motion to Compel by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. Motions referred to Magistrate Judge Stephen L. Crocker. Response due 2/11/2022. (Attachments: # <a href="#">1</a> Exhibit A - 09/30/2021 Letter from Band Counsel, # <a href="#">2</a> Exhibit B - 08/31/2021 Letter from Band Counsel, # <a href="#">3</a> Exhibit C - Band Rule 45 Subpoenas to Enbridge Contractors, # <a href="#">4</a> Exhibit D - 1992 Agreement, # <a href="#">5</a> Exhibit E - 1993 50 Year Easement, # <a href="#">6</a> Exhibit F - Band Objections and Responses to Sixth Set of RFPs, # <a href="#">7</a> Exhibit G - Band Objections and Responses to Eighth Set of RFPs, # <a href="#">8</a> Exhibit H - Band Objections and Responses to Eleventh Set of RFPs, # <a href="#">9</a> Exhibit I - 09/24/2021 Email from Band Counsel) (Feinberg, David) (Entered: 02/04/2022)
02/09/2022	<a href="#">161</a>	Brief in Opposition by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendants Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">157</a> Motion to Compel,,, filed by Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Kanji, Riyaz) (Entered: 02/09/2022)

02/09/2022	<a href="#">162</a>	<p>Declaration of Philip H. Tinker filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendants Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation <i>in Support of Plaintiff's Memorandum in Opposition</i> re: <a href="#">157</a> Motion to Compel, (Attachments: # <a href="#">1</a> Exhibit 1 - Approval of the Bad River Band of Lake Superior Tribe of Chippewa Indians' Application for Treatment in the Same Manner as a State for Sections 303(c) and 401 of the Clean Water Act, # <a href="#">2</a> Exhibit 2 - Water Quality Certification and Water Quality Review Code, # <a href="#">3</a> Exhibit 3 - Request for Agenda Item, # <a href="#">4</a> Exhibit 4 - Bad River Tribal Council Meeting Minutes, # <a href="#">5</a> Exhibit 5 - Technical Document Relating to the Bad River Band's Denial of the Clean Water Act Section 401 Certification, # <a href="#">6</a> Exhibit 6 - Bad River Band of the Lake Superior Tribe of Chippewa Indians Water Quality Standards, # <a href="#">7</a> Exhibit 7 - Bad River Band of Lake Superior Chippewa Indians Tribal Council Resolution No. 11-17-20-428, # <a href="#">8</a> Exhibit 8 - Bad River Band of Lake Superior Chippewa Indians Tribal Council Resolution No. 11-17-20-427, # <a href="#">9</a> Exhibit 9 - Bad River Band of Lake Superior Chippewa Indians Tribal Council Resolution No. 12-07-21-600, # <a href="#">10</a> Exhibit 10 - Enbridge's Notice of Deposition, # <a href="#">11</a> Exhibit 11 - Defendants' Notice of Deposition, # <a href="#">12</a> Exhibit 12 - MNRD's Project Review-Feedback Form, # <a href="#">13</a> Exhibit 13 - MNRD's Response to Comments, # <a href="#">14</a> Exhibit 14 - E-mail dated March 12, 2020, # <a href="#">15</a> Exhibit 15 - Spreadsheet, Bates Number BRB172784, # <a href="#">16</a> Exhibit 16 - Spreadsheet, Bates Number BRB056317) (Kanji, Riyaz) Modified on 2/10/2022: Added exhibit descriptions. (lak) (Entered: 02/09/2022)</p>
02/11/2022	<a href="#">163</a>	<p>Brief in Opposition by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">160</a> Motion to Compel,, filed by Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Kanji, Riyaz) (Entered: 02/11/2022)</p>
02/11/2022	<a href="#">164</a>	<p>Declaration of Philip Tinker filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">160</a> Motion to Compel,, (Attachments: # <a href="#">1</a> Exhibit December 6, 2019 Letter from Enbridge to Tillson, # <a href="#">2</a> Exhibit BRB Meander Tree Revetment Project Application, # <a href="#">3</a> Exhibit BRB Antidegradation Decisions, # <a href="#">4</a> Exhibit Defendant's Eleventh Set of Requests for Production of Documents, # <a href="#">5</a> Exhibit Communications between Tinker and Feinberg) (Kanji, Riyaz) (Entered: 02/11/2022)</p>
02/14/2022	<a href="#">165</a>	<p><b>MOTION FOR PARTIAL SUMMARY JUDGMENT <i>and for Summary Judgment on Defendants' Counterclaims. (Sealed Document)</i></b> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. Brief in Opposition due 3/7/2022. Brief in Reply due 3/17/2022. (Kanji, Riyaz) (Entered: 02/14/2022)</p>

02/14/2022

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Declaration of Philip H. Tinker filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation *in Support of The Bad River Band of The Lake Superior Tribe of Chippewa Indians' Motion for Partial Summary Judgment and for Summary Judgment on Defendants' Counterclaims* re: [165](#) Motion for Partial Summary Judgment, ([Sealed Document](#)) (Attachments:

# [1](#) Attachment A - Wisconsin Department of Public Instruction webpage, "Bad River Band of Lake Superior Chippewa",  
# [2](#) Attachment B - Great Lakes Inter-Tribal Council webpage, "Bad River Band of The Lake Superior Tribe of Chippewa Indians",  
# [3](#) Attachment C - Line 5 Throughput Data, ENB00417465-ENB00417469,  
# [4](#) Attachment D - Enbridge webpage, "Crude Oil And Liquids Pipelines",  
# [5](#) Attachment E - Agreement Between Band and Enbridge (Dec. 23, 1992), ENB00040375-40380,  
# [6](#) Attachment F - BIA Letter to Enbridge (June 3, 1953), ENB00000356,  
# [7](#) Attachment G - Enbridge Right-of-Way Application, Attorney Affidavit (June 11, 1973), BRB021704,  
# [8](#) Attachment H - BIA Letter to Enbridge (Oct. 29, 1991), ENB00010955,  
# [9](#) Attachment I - Right-of-Way Easement (July 21, 1975), ENB00000003-11,  
# [10](#) Attachment J - BIA Letter to Band (Feb. 21, 1992), ENB00010951-52,  
# [11](#) Attachment K - Enbridge/BIA Correspondence (Oct. 29-Dec. 12, 1991), ENB00010953-55,  
# [12](#) Attachment L - BIA Easement Amendment (Mar. 27, 1992), ENB00000001-02,  
# [13](#) Attachment M - Affidavit of Robert R. Jaeger (BIA Great Lakes Agency Superintendent) (Mar. 27, 1992), ENB00000012-13,  
# [14](#) Attachment N - BIA Tribal Lands Easement (Feb. 24, 1993), BRB004151-4153,  
# [15](#) Attachment O - Allotted Lands Easements (1993): ENB00000553-555; ENB00000569-571; ENB00000599-601; ENB00000635-637; ENB00000650-652; ENB00000670-672; ENB00000686-688; ENB00000698-700; ENB00000716-718; ENB00000749-751; ENB00000774-776; ENB00000799-801; ENB00000811-813; ENB00000852-854; ENB00051251-51253,  
# [16](#) Attachment P - BIA/Enbridge Correspondence (Feb.-Aug.1993), BRB044377-44380; BRB044655-44658; ENB00000833-837,  
# [17](#) Attachment Q - Band/Enbridge/BIA Correspondence (Feb.-July 1992) BRB044404-44407, 44410-44415,  
# [18](#) Attachment R - Enbridge Letter to BIA (June 12, 1992), BRB044408,  
# [19](#) Attachment S - Enbridge Tribal Lands Application (June 10, 1992), BRB027434-27436,  
# [20](#) Attachment T - Tribal Lands Schedule (1992), BRB004154,  
# [21](#) Attachment U - BIA Letter to Band (Jan. 8, 1993), ENB00010942-10943,  
# [22](#) Attachment V - Tribal Council Resolution No. 12/21/92-09 (Dec. 21, 1992), ENB00000509,  
# [23](#) Attachment W - Band Letter to BIA (Dec. 23, 1992), ENB00000058,  
# [24](#) Attachment X - U.S. Department of the Interior Tract History Reports, U.S. Department of the Interior Tract History Reports (excerpted), BRB002884 at 2899; BRB002928 at 2937; BRB002945 at 2978-2979; BRB003146 at 3179-80; BRB003538 at 3551; BRB003567 at 3587-3588; BRB003677 at 3687; BRB003706 at 3714-15; BRB003726 at 3744; BRB003750 at 3759; BRB003761 at 3783-3784; BRB003803 at 3839-3840,

		<p># <a href="#">25</a> Attachment Y - U.S. Department of the Interior Title Status Reports, BRB004283-4287; BRB004205-4209; BRB004251-4256; BRB004273-4277; BRB004278-4282; BRB004225-4250; BRB004288-4294; BRB004210-4219; BRB004267-4272; BRB004257-4266; BRB004194-4199; BRB004295-4304,</p> <p># <a href="#">26</a> Attachment Z - Notice of Decision on Appeal Regarding Tract No. 430 3H308 on the Bad River Reservation (Dep't of the Interior, Bureau of Indian Affairs) (July 2, 2021),</p> <p># <a href="#">27</a> Attachment AA - Enbridge Correspondence to Band (Nov. 2013-Mar. 2014), ENB00016407-6408; ENB00016381,</p> <p># <a href="#">28</a> Attachment BB - Bad River Easement Renewal Summary--Land Services Comments (Aug. 11, 2015), ENB00015868-5869,</p> <p># <a href="#">29</a> Attachment CC - Band Letter to Enbridge (June 10, 2015), BRB011361-11369,</p> <p># <a href="#">30</a> Attachment DD - Enbridge Letter to Band (Sept. 1, 2015), ENB00001731-1734,</p> <p># <a href="#">31</a> Attachment EE - Band Letter to Enbridge (Sept. 6, 2016), ENB00007069-7080,</p> <p># <a href="#">32</a> Attachment FF - Band Letter to Enbridge (July 21, 2015), ENB00001745-1747,</p> <p># <a href="#">33</a> Attachment GG - Tribal Council Resolution No. 1-4-17-738 (Jan. 4, 2017), 17154-17155,</p> <p># <a href="#">34</a> Attachment HH - Enbridge Email (Feb. 29, 2016), ENB00016506-16508,</p> <p># <a href="#">35</a> Attachment II - Internal Enbridge Emails (2013-2020), ENB00001457-1458; ENB00001459-1461; ENB00104033-104035; ENB00356180; ENB00025413; ENB00315985-315986; ENB00016413-16416; ENB00014479; ENB00023512; ENB00020820; ENB00034222,</p> <p># <a href="#">36</a> Attachment JJ - Bad River Band of Lake Superior Chippewa Reservation Summary Report (Feb. 22, 2016), ENB00105504-105509,</p> <p># <a href="#">37</a> Attachment KK - Enbridge Letter to Band (Apr. 19, 2013), ENB00001729,</p> <p># <a href="#">38</a> Attachment LL - Bad River Easement Renewal (Jan. 5, 2017), ENB00016460-6461,</p> <p># <a href="#">39</a> Attachment MM - Corporate Responsibility Committee Draft (Oct. 18, 2016), ENB00019333-19338,</p> <p># <a href="#">40</a> Attachment NN - Untitled Enbridge Chart of First Nation and Tribal Lands, ENB00013497-13498,</p> <p># <a href="#">41</a> Attachment OO - Superior Region AFE &amp; SCN Unbudgeted Proposal Template (Jan. 2017), ENB00009684,</p> <p># <a href="#">42</a> Attachment PP - Enbridge Line 5 Memorandum (Mar. 2019), ENB00031484-31488,</p> <p># <a href="#">43</a> Attachment QQ - Enbridge MP Project Development Monthly Update Review (Jan.-Feb. 2017), ENB00014903-14932,</p> <p># <a href="#">44</a> Attachment RR - Enbridge Powerpoint, "Line 5 Relocation, Class 5 Estimate", ENB00280952-2800960,</p> <p># <a href="#">45</a> Attachment SS - Enbridge Line 5 Reroute Proposal Spreadsheet (2017), ENB00020518,</p> <p># <a href="#">46</a> Attachment TT - Line 5 Income Data (2020-2021), ENB00417470-417477) (Kanji, Riyaz) (Entered: 02/14/2022)</p>
02/14/2022	<a href="#">167</a>	<p>Proposed Findings of Fact filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">165</a> Motion for Partial Summary Judgment, <i>in Support of The Bad River Band of The Lake Superior Tribe of Chippewa Indians' Motion for Partial Summary Judgment and for Summary</i></p>

		<i>Judgment on Defendants' Counterclaims</i> ( <u>Sealed Document</u> ) (Kanji, Riyaz) (Entered: 02/14/2022)
02/14/2022	<a href="#">168</a>	Brief in Support of <a href="#">165</a> Motion for Partial Summary Judgment, by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation ( <u>Sealed Document</u> ) (Kanji, Riyaz) (Entered: 02/14/2022)
02/17/2022	<a href="#">169</a>	Redaction to <a href="#">165</a> MOTION FOR PARTIAL SUMMARY JUDGMENT <i>and for Summary Judgment on Defendants' Counterclaims.</i> ( <u>Sealed Document</u> ) by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 02/17/2022)
02/17/2022	<a href="#">170</a>	Redaction to <a href="#">166</a> Declaration,,,,,,,,,,,,,,,,,,,,, by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Attachments: # <a href="#">1</a> Attachment A - Wisconsin Department of Public Instruction webpage, "Bad River Band of Lake Superior Chippewa", # <a href="#">2</a> Attachment B - Great Lakes Inter-Tribal Council webpage, "Bad River Band of The Lake Superior Tribe of Chippewa Indians", # <a href="#">3</a> Attachment C - Line 5 Throughput Data, ENB00417465-ENB00417469, # <a href="#">4</a> Attachment D - Enbridge webpage, "Crude Oil And Liquids Pipelines", # <a href="#">5</a> Attachment E - Agreement Between Band and Enbridge (Dec. 23, 1992), ENB00040375-40380, # <a href="#">6</a> Attachment F - BIA Letter to Enbridge (June 3, 1953), ENB000000356, # <a href="#">7</a> Attachment G - Enbridge Right-of-Way Application, Attorney Affidavit (June 11, 1973), BRB021704, # <a href="#">8</a> Attachment H - BIA Letter to Enbridge (Oct. 29, 1991), ENB00010955, # <a href="#">9</a> Attachment I - Right-of-Way Easement (July 21, 1975), ENB000000003-11, # <a href="#">10</a> Attachment J - BIA Letter to Band (Feb. 21, 1992), ENB00010951-52, # <a href="#">11</a> Attachment K - Enbridge/BIA Correspondence (Oct. 29-Dec. 12, 1991), ENB00010953-55, # <a href="#">12</a> Attachment L - BIA Easement Amendment (Mar. 27, 1992), ENB000000001-02, # <a href="#">13</a> Attachment M - Affidavit of Robert R. Jaeger (BIA Great Lakes Agency Superintendent) (Mar. 27, 1992), ENB000000012-13, # <a href="#">14</a> Attachment N - BIA Tribal Lands Easement (Feb. 24, 1993), BRB004151-4153, # <a href="#">15</a> Attachment O - Allotted Lands Easements (1993): ENB00000553-555; ENB00000569-571; ENB00000599-601; ENB00000635-637; ENB00000650-652; ENB00000670-672; ENB00000686-688; ENB00000698-700; ENB00000716-718; ENB00000749-751; ENB00000774-776; ENB00000799-801; ENB00000811-813; ENB00000852-854; ENB00051251-51253, # <a href="#">16</a> Attachment P - BIA/Enbridge Correspondence (Feb.-Aug.1993), BRB044377-44380; BRB044655-44658; ENB00000833-837, # <a href="#">17</a> Attachment Q - Band/Enbridge/BIA Correspondence (Feb.-July 1992) BRB044404-44407, 44410-44415, # <a href="#">18</a> Attachment R - Enbridge Letter to BIA (June 12, 1992), BRB044408, # <a href="#">19</a> Attachment S - Enbridge Tribal Lands Application (June 10, 1992), BRB027434-27436, # <a href="#">20</a> Attachment T - Tribal Lands Schedule (1992), BRB004154, # <a href="#">21</a> Attachment U - BIA Letter to Band (Jan. 8, 1993), ENB00010942-10943, # <a href="#">22</a> Attachment V - Tribal Council Resolution No. 12/21/92-09 (Dec. 21, 1992), ENB00000509,



# [23](#) Attachment W - Band Letter to BIA (Dec. 23, 1992), ENB00000058,  
# [24](#) Attachment X - U.S. Department of the Interior Tract History Reports, U.S. Department of the Interior Tract History Reports (excerpted), BRB002884 at 2899; BRB002928 at 2937; BRB002945 at 2978-2979; BRB003146 at 3179-80; BRB003538 at 3551; BRB003567 at 3587-3588; BRB003677 at 3687; BRB003706 at 3714-15; BRB003726 at 3744; BRB003750 at 3759; BRB003761 at 3783-3784; BRB003803 at 3839-3840,  
# [25](#) Attachment Y - U.S. Department of the Interior Title Status Reports, BRB004283-4287; BRB004205-4209; BRB004251-4256; BRB004273-4277; BRB004278-4282; BRB004225-4250; BRB004288-4294; BRB004210-4219; BRB004267-4272; BRB004257-4266; BRB004194-4199; BRB004295-4304,  
# [26](#) Attachment Z - Notice of Decision on Appeal Regarding Tract No. 430 3H308 on the Bad River Reservation (Dep't of the Interior, Bureau of Indian Affairs) (July 2, 2021),  
# [27](#) Attachment AA - Enbridge Correspondence to Band (Nov. 2013-Mar. 2014), ENB00016407-6408; ENB00016381,  
# [28](#) Attachment BB - Bad River Easement Renewal Summary--Land Services Comments (Aug. 11, 2015), ENB00015868-5869,  
# [29](#) Attachment CC - Band Letter to Enbridge (June 10, 2015), BRB011361-11369,  
# [30](#) Attachment DD - Enbridge Letter to Band (Sept. 1, 2015), ENB00001731-1734,  
# [31](#) Attachment EE - Band Letter to Enbridge (Sept. 6, 2016), ENB00007069-7080,  
# [32](#) Attachment FF - Band Letter to Enbridge (July 21, 2015), ENB00001745-1747,  
# [33](#) Attachment GG - Tribal Council Resolution No. 1-4-17-738 (Jan. 4, 2017), 17154-17155,  
# [34](#) Attachment HH - Enbridge Email (Feb. 29, 2016), ENB00016506-16508,  
# [35](#) Attachment II - Internal Enbridge Emails (2013-2020),  
# [36](#) Attachment JJ - Bad River Band of Lake Superior Chippewa Reservation Summary Report (Feb. 22, 2016), ENB00105504-105509,  
# [37](#) Attachment KK - Enbridge Letter to Band (Apr. 19, 2013), ENB00001729,  
# [38](#) Attachment LL - Bad River Easement Renewal (Jan. 5, 2017), ENB00016460-6461,  
# [39](#) Attachment MM - Corporate Responsibility Committee Draft (Oct. 18, 2016), ENB00019333-19338,  
# [40](#) Attachment NN - Untitled Enbridge Chart of First Nation and Tribal Lands, ENB00013497-13498,  
# [41](#) Attachment OO - Superior Region AFE & SCN Unbudgeted Proposal Template (Jan. 2017), ENB00009684,  
# [42](#) Attachment PP - Enbridge Line 5 Memorandum (Mar. 2019),  
# [43](#) Attachment QQ - Enbridge MP Project Development Monthly Update Review (Jan.-Feb. 2017), ENB00014903-14932,  
# [44](#) Attachment RR - Enbridge Powerpoint, "Line 5 Relocation, Class 5 Estimate", ENB00280952-2800960,  
# [45](#) Attachment SS - Enbridge Line 5 Reroute Proposal Spreadsheet (2017), ENB00020518,  
# [46](#) Attachment TT - Line 5 Income Data (2020-2021), ENB00417470-417477) (Kanji, Riyaz) (Entered: 02/17/2022)

02/17/2022	<a href="#">171</a>	Redaction to <a href="#">167</a> Proposed Findings of Fact, by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanj, Riyaz) (Entered: 02/17/2022)
02/17/2022	<a href="#">172</a>	Redaction to <a href="#">168</a> Brief in Support by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanj, Riyaz) (Entered: 02/17/2022)
02/22/2022	<a href="#">173</a>	Joint Motion to Substitute Redacted Versions of Docket Entries re: <a href="#">166</a> Declaration, <a href="#">167</a> Proposed Findings of Fact, <a href="#">168</a> Brief in Support by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Attachments: # <a href="#">1</a> Exhibit - Proposed Replacement for Dkt No.166 P. Tinker Declaration (Sealed), # <a href="#">2</a> Exhibit - Proposed Replacement for Dkt. No. 166-35 Attachment II-Internal Emails (Sealed), # <a href="#">3</a> Exhibit - Proposed Replacement for Dkt. No. 166-42 Attachment PP-Withdrawn Exhibit (Sealed)) (Kanj, Riyaz) Modified on 2/22/2022. (lak) (Entered: 02/22/2022)
02/23/2022	174	<b>** TEXT ONLY ORDER **</b> ORDER granting <a href="#">173</a> Joint Motion to Substitute Redacted Versions of Docket Entries. Signed by Magistrate Judge Stephen L. Crocker on 2/23/2022. (voc) (Entered: 02/23/2022)
02/28/2022	<a href="#">175</a>	Unopposed Motion for Extension of Time by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. Motions referred to Magistrate Judge Stephen L. Crocker. (Attachments: # <a href="#">1</a> Text of Proposed Order Granting Motion for Extension of Time) (Feinberg, David) (Entered: 02/28/2022)
03/01/2022	176	<b>** TEXT ONLY ORDER **</b> ORDER granting <a href="#">175</a> Motion for Extension of Time. Defendants' response to plaintiff's motion for partial summary judgment is due April 21, 2022, with plaintiff's response due May 20, 2022. In the event that defendants file their own summary judgment motion by the May 6, 2022 deadline, briefing will proceed on a 30/15 response/reply cycle. Signed by Magistrate Judge Stephen L. Crocker on 3/1/2022. (voc) (Entered: 03/01/2022)
03/01/2022	<a href="#">177</a>	Motion to Compel by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. Motions referred to Magistrate Judge Stephen L. Crocker. Response due 3/8/2022. (Attachments: # <a href="#">1</a> Exhibit A Enbridge's Sixth RFPs to Bad River Band, # <a href="#">2</a> Exhibit B Enbridge's Eighth RFPs to Bad River Band, # <a href="#">3</a> Exhibit C Enbridge's Twelfth RFPs to Bad River Band, # <a href="#">4</a> Exhibit D Bad River Band Responses to Enbridge's Sixth RFPs, # <a href="#">5</a> Exhibit E Dec. 3, 2021 Letter from Band Counsel to Enbridge Counsel, # <a href="#">6</a> Exhibit F Sept. 9, 2021 Email from Band Counsel to Enbridge Counsel, # <a href="#">7</a> Exhibit G Bad River Band First ROGs to Enbridge, # <a href="#">8</a> Exhibit H Bad River Band Rule 45 Subpoenas, # <a href="#">9</a> Exhibit I Oct. 18, 2016 Meeting Summary from Bad River Band, # <a href="#">10</a> Exhibit J Bad River Band Resolution Approving GLGT Bank Revetment Project, # <a href="#">11</a> Exhibit K Dec. 10, 2021 Letter to USACE on Denial of Enbridge Riprap,



		<p># <a href="#">12</a> Exhibit L Feb. 26, 2021 Email with NNG, # <a href="#">13</a> Exhibit M Aug. 17, 2018 Letter from NNG, # <a href="#">14</a> Exhibit N Feb. 26, 2020 Email from N. Tillison on Enbridge Soil Borings, # <a href="#">15</a> Exhibit O Bad River Band Resolution Denying Enbridge Soil Borings, # <a href="#">16</a> Exhibit P Bad River Band NRD Feedback on Enbridge HDD Proposal, # <a href="#">17</a> Exhibit Q June 23, 2017 Email on NNG Expired Easements, # <a href="#">18</a> Exhibit R Bad River Band Resolution to Remove Line 5, # <a href="#">19</a> Exhibit S July 24, 2019 Email on GLGT Easement Renewal, # <a href="#">20</a> Exhibit T Oct. 26, 2021 Letter to USACE on Denial of Enbridge HDD, # <a href="#">21</a> Exhibit U - Request for Production of Documents) (Feinberg, David) Modified on 3/2/2022. (lak) (Entered: 03/01/2022)</p>
03/01/2022	<a href="#">178</a>	<p>Motion for Leave to File <i>Reply In Support of Enbridge's Motion to Overrule Bad River Band Tribal Council Members' Assertion of Legislative Privilege</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. (Attachments: # <a href="#">1</a> Exhibit A Proposed Reply In Support of Enbridge's Motion to Overrule Bad River Band Tribal Council Members' Assertion of Legislative Privilege) (Feinberg, David) (Entered: 03/01/2022)</p>
03/02/2022	<a href="#">179</a>	<p>Motion for Leave to File <i>Reply In Support of Enbridge's Motion to Compel Plaintiff to Produce Documents and Communications Regarding the Band's Refusal to Permit Abatement Work</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. (Attachments: # <a href="#">1</a> Exhibit A, Proposed Reply In Support of Enbridge's Motion to Compel Plaintiff to Produce Documents and Communications Regarding the Band's Refusals to Permit Abatement Work, # <a href="#">2</a> Exhibit 1 to Proposed Reply, # <a href="#">3</a> Exhibit 2 to Proposed Reply, # <a href="#">4</a> Exhibit 3 to Proposed Reply, # <a href="#">5</a> Exhibit 4 to Proposed Reply, # <a href="#">6</a> Exhibit 5 to Proposed Reply, # <a href="#">7</a> Exhibit 6 to Proposed Reply, # <a href="#">8</a> Exhibit 7 to Proposed Reply, # <a href="#">9</a> Exhibit 8 to Proposed Reply, # <a href="#">10</a> Exhibit 9 to Proposed Reply) (Feinberg, David) Modified on 7/19/2022 (voc/slc). (Entered: 03/02/2022)</p>
03/02/2022	<a href="#">180</a>	<p>Brief in Opposition by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">179</a> Motion for Leave to File,, filed by Enbridge Energy Company, Inc., Enbridge Energy, L.P., <a href="#">178</a> Motion for Leave to File, filed by Enbridge Energy Company, Inc., Enbridge Energy, L.P. (<i>Combined</i>) (Kanji, Riyaz) (Entered: 03/02/2022)</p>
03/08/2022	<a href="#">181</a>	<p>Brief in Opposition by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendant Naomi Tillison re: <a href="#">177</a> Motion to Compel, filed by Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Kanji, Riyaz) (Entered: 03/08/2022)</p>
03/08/2022	<a href="#">182</a>	<p>Declaration of Philip H. Tinker filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendant Naomi Tillison <i>in Support of Plaintiff's Memorandum in Opposition</i> re: <a href="#">177</a> Motion to Compel, (Attachments: # <a href="#">1</a> Exhibit 1 - Summary of January 15, 2020 Meet and Confer from Enbridge</p>

		Counsel, # <a href="#">2</a> Exhibit 2 - Final Search Terms, # <a href="#">3</a> Exhibit 3 - United States Environmental Protection Agency's June 26, 2009 Decision Document, # <a href="#">4</a> Exhibit 4 - Bad Rover Band of the Lake Superior Tribe of Chippewa Indians Water Quality Standards, adopted July 6, 2011, # <a href="#">5</a> Exhibit 5 - Wright Water Engineers' Excerpted Expert Report) (Kanji, Riyaz) (Entered: 03/08/2022)
03/08/2022	<a href="#">183</a>	Declaration of Erick Arnold filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendant Naomi Tillison <i>in Support of Plaintiff's Memorandum in Opposition</i> re: <a href="#">177</a> Motion to Compel. (Kanji, Riyaz) (Entered: 03/08/2022)
03/15/2022	<a href="#">184</a>	Notice of Appearance filed by Claire R Newman for Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendants Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Naomi Tillison, Naomi Tillison. (Newman, Claire) (Entered: 03/15/2022)
03/15/2022	<a href="#">185</a>	Notice of Appearance filed by Christopher C Miller for Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendants Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Naomi Tillison, Naomi Tillison. (Miller, Christopher) (Entered: 03/15/2022)
03/15/2022	<a href="#">186</a>	Notice of Appearance filed by Jane Steadman for Counter Defendants Naomi Tillison, Naomi Tillison. (Steadman, Jane) (Entered: 03/15/2022)
03/15/2022	<a href="#">187</a>	Notice of Appearance filed by David A Giampetroni for Counter Defendants Naomi Tillison, Naomi Tillison. (Giampetroni, David) (Entered: 03/15/2022)
03/18/2022	<a href="#">188</a>	Notice of Appearance filed by Philip Tinker for Counter Defendants Naomi Tillison, Naomi Tillison. (Tinker, Philip) (Entered: 03/18/2022)
04/04/2022	<a href="#">189</a>	ORDER granting in part and denying in part <a href="#">150</a> Motion to Compel; Denying <a href="#">157</a> Motion to Compel by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.; Granting <a href="#">178</a> Motion for Leave to File by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. Signed by Magistrate Judge Stephen L. Crocker on 4/4/2022. (voc) (Entered: 04/04/2022)
04/21/2022	<a href="#">190</a>	Notice of Appearance filed by Joshua C Handelsman for Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Handelsman, Joshua) (Entered: 04/21/2022)
04/21/2022	<a href="#">191</a>	Notice of Appearance filed by Ian P Fisher for Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Fisher, Ian) (Entered: 04/21/2022)
04/21/2022	<a href="#">192</a>	Disregard. To be refiled in condensed format. Modified on 4/22/2022. (lak) (Entered: 04/21/2022)

04/21/2022	<a href="#">193</a>	Declaration of Amy Back filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>In Support of Enbridge's Opposition</i> re: <a href="#">165</a> Motion for Partial Summary Judgment, (Feinberg, David) (Entered: 04/21/2022)
04/21/2022	<a href="#">194</a>	Declaration of Paul Eberth filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>In Support of Enbridge's Opposition</i> re: <a href="#">165</a> Motion for Partial Summary Judgment, (Feinberg, David) (Entered: 04/21/2022)
04/21/2022	<a href="#">195</a>	Declaration of Mike Harris filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>In Support of Enbridge's Opposition</i> re: <a href="#">165</a> Motion for Partial Summary Judgment, (Feinberg, David) (Entered: 04/21/2022)
04/21/2022	<a href="#">196</a>	Declaration of April Holdren filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>In Support of Enbridge's Opposition</i> re: <a href="#">165</a> Motion for Partial Summary Judgment, (Feinberg, David) (Entered: 04/21/2022)
04/21/2022	<a href="#">197</a>	Declaration of Steven Johnson filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>In Support of Enbridge's Opposition</i> re: <a href="#">165</a> Motion for Partial Summary Judgment, (Feinberg, David) (Entered: 04/21/2022)
04/21/2022	<a href="#">198</a>	Affidavit of Mark Maxwell filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>In Support of Enbridge's Opposition</i> re: <a href="#">165</a> Motion for Partial Summary Judgment, (Feinberg, David) Modified on 4/22/2022. (lak) (Entered: 04/21/2022)
04/21/2022	<a href="#">199</a>	Declaration of Paul Meneghini filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>In Support of Enbridge's Opposition</i> re: <a href="#">165</a> Motion for Partial Summary Judgment, (Feinberg, David) (Entered: 04/21/2022)
04/21/2022	<a href="#">200</a>	Declaration of Kyle Miller filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>In Support of Enbridge's Opposition</i> re: <a href="#">165</a> Motion for Partial Summary Judgment, (Feinberg, David) (Entered: 04/21/2022)
04/21/2022	<a href="#">201</a>	Declaration of Jeff Paetz filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>In Support of Enbridge's Opposition</i> re: <a href="#">165</a> Motion for Partial Summary Judgment, (Feinberg, David) (Entered: 04/21/2022)
04/21/2022	<a href="#">202</a>	Declaration of Amber Pastoor filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>In Support of Enbridge's Opposition</i> re: <a href="#">165</a> Motion for Partial Summary Judgment, (Feinberg, David) (Entered: 04/21/2022)
04/21/2022	<a href="#">203</a>	Declaration of Trent Wetmore filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>In Support of Enbridge's Opposition</i> re: <a href="#">165</a> Motion for Partial Summary Judgment, (Feinberg, David) (Entered: 04/21/2022)
04/21/2022	<a href="#">204</a>	Declaration of Neil Earnest filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>In Support of Enbridge's Opposition</i> re: <a href="#">165</a> Motion for Partial Summary Judgment, (Feinberg, David) (Entered: 04/21/2022)
04/21/2022	<a href="#">205</a>	Declaration of Dr. Corbett Grainger filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>In Support of Enbridge's Opposition</i> re: <a href="#">165</a> Motion for Partial Summary Judgment, (Feinberg, David) (Entered: 04/21/2022)
04/21/2022	<a href="#">206</a>	Declaration of William Rennicke filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>In Support of Enbridge's Opposition</i> re: <a href="#">165</a> Motion for Partial Summary Judgment, (Feinberg, David) (Entered: 04/21/2022)

04/21/2022	<a href="#">207</a>	Brief in Opposition by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. re: <a href="#">165</a> Motion for Partial Summary Judgment, filed by Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Feinberg, David) (Entered: 04/21/2022)
04/21/2022	<a href="#">208</a>	Response to Proposed Findings of Fact filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. re: <a href="#">165</a> Motion for Partial Summary Judgment, (Feinberg, David) (Entered: 04/21/2022)
04/21/2022	<a href="#">209</a>	Proposed Findings of Fact filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. re: <a href="#">165</a> Motion for Partial Summary Judgment, (Feinberg, David) (Entered: 04/21/2022)
04/21/2022	<a href="#">210</a>	<p>Declaration of Justin Nemeroff filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>In Support of Enbridge's Opposition</i> re: <a href="#">165</a> Motion for Partial Summary Judgment, (<u>Sealed Document</u>) (Attachments:</p> <ul style="list-style-type: none"><li># <a href="#">1</a> Exhibit 1 - 12/23/92 Band Letter to BIA,</li><li># <a href="#">2</a> Exhibit 2 - 6/10/92 Right of Way Renewal,</li><li># <a href="#">3</a> Exhibit 3 - 3/2017 Band Powerpoint,</li><li># <a href="#">4</a> Exhibit 4 - Tribal Council Meeting Transcripts,</li><li># <a href="#">5</a> Exhibit 5 - 7/3/19 Internal Band Email,</li><li># <a href="#">6</a> Exhibit 6 - 4/22/92 Enbridge File Memo,</li><li># <a href="#">7</a> Exhibit 7 - 1975 Right of Way Grant,</li><li># <a href="#">8</a> Exhibit 8 - Enbridge 4/8/92 Meeting Notes with BIA,</li><li># <a href="#">9</a> Exhibit 9 - 11/24/92 BIA Letter to Allottee Landowner,</li><li># <a href="#">10</a> Exhibit 10 - 5/7/92 BIA Internal Memo,</li><li># <a href="#">11</a> Exhibit 11 - 5/1/92 BIA Letter to Enbridge,</li><li># <a href="#">12</a> Exhibit 12 - 9/29/92 Enbridge Letter to Band,</li><li># <a href="#">13</a> Exhibit 13 - 11/5/92 Letter from Enbridge to Band,</li><li># <a href="#">14</a> Exhibit 14 - 12/9/92 Band Letter to Enbridge,</li><li># <a href="#">15</a> Exhibit 15 - 2/25/22 Band Answers to Requests for Admissions,</li><li># <a href="#">16</a> Exhibit 16 - 2/1/93 Band Letter to BIA,</li><li># <a href="#">17</a> Exhibit 17 - 2/8/93 Internal BIA Letter,</li><li># <a href="#">18</a> Exhibit 18 - 9/6/94 BIA Letter Enclosure,</li><li># <a href="#">19</a> Exhibit 19 - 5/17/93 Invoice for 15 Allotted Parcels,</li><li># <a href="#">20</a> Exhibit 20 - 6/15/93 WPSC Order,</li><li># <a href="#">21</a> Exhibit 21 - Tribal Council Resolution 10-30-19-226,</li><li># <a href="#">22</a> Exhibit 22 - DOI Purchase Summary Report Excerpt,</li><li># <a href="#">23</a> Exhibit 23 - DOI Tract History Report Excerpt,</li><li># <a href="#">24</a> Exhibit 24 - 2/8/17 Email re Land Ownership Analysis,</li><li># <a href="#">25</a> Exhibit 25 - 12/30/16 Corbine Email,</li><li># <a href="#">26</a> Exhibit 26 - 9/25/17 Band Emails with DOI,</li><li># <a href="#">27</a> Exhibit 27 - Land Buy Back Slideshow Excerpt,</li><li># <a href="#">28</a> Exhibit 28 - IBIA Pre Docketing Order,</li><li># <a href="#">29</a> Exhibit 29 - 1/9/17 Band Email with EPA,</li><li># <a href="#">30</a> Exhibit 30 - 4/19/13 Enbridge Letter to Band,</li><li># <a href="#">31</a> Exhibit 31 - 6/10/15 Internal Band NRD Email,</li><li># <a href="#">32</a> Exhibit 32 - 7/8/15 Letter from Enbridge to Band,</li><li># <a href="#">33</a> Exhibit 33 - 4/9/15 Band and Enbridge Meeting Summary,</li><li># <a href="#">34</a> Exhibit 34 - 2015 Enbridge Budget Proposal,</li><li># <a href="#">35</a> Exhibit 35 - 11/4/16 Enbridge Letter to Band,</li><li># <a href="#">36</a> Exhibit 36 - Tribal Council Resolution 4-18-17-802,</li></ul>

		<p># <a href="#">37</a> Exhibit 37 - Band Map of Pipelines,</p> <p># <a href="#">38</a> Exhibit 38 - Band NRD Pipeline Fact Sheet,</p> <p># <a href="#">39</a> Exhibit 39 - 1/20/17 Band Strategy Team Meeting Agenda,</p> <p># <a href="#">40</a> Exhibit 40 - Tribal Council Project Denial Packets,</p> <p># <a href="#">41</a> Exhibit 41 - 6/15/20 Band Letter to USACE,</p> <p># <a href="#">42</a> Exhibit 42 - Band Notes from 2/13/19 Meeting,</p> <p># <a href="#">43</a> Exhibit 43 - 8/5/20 PBF Energy Letter,</p> <p># <a href="#">44</a> Exhibit 44 - 6/26/20 Shell Canada Letter,</p> <p># <a href="#">45</a> Exhibit 45 - 6/26/20 Husky Energy Letter,</p> <p># <a href="#">46</a> Exhibit 46 - 1977 Transit Pipeline Treaty,</p> <p># <a href="#">47</a> Exhibit 47 - 4/5/22 Canada's Amicus Brief,</p> <p># <a href="#">48</a> Exhibit 48 - 3/22/22 Canada Letter to USACE,</p> <p># <a href="#">49</a> Exhibit 49 - Excerpted Tract Report for 430 3H308,</p> <p># <a href="#">50</a> Exhibit 50 - 4/15/16 O&amp;M Planning Meeting Agenda,</p> <p># <a href="#">51</a> Exhibit 51 - Map of Allotted Parcels) (Feinberg, David) (Entered: 04/21/2022)</p>
04/22/2022	<a href="#">211</a>	Deposition of Michael Wiggins, Jr. taken on December 17, 2020. (Feinberg, David) (Entered: 04/22/2022)
04/22/2022		Set/Reset Hearings: Hearing set for 4/22/2022 at 02:30 PM before Magistrate Judge Stephen L. Crocker. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264-5153. (cak) (Entered: 04/22/2022)
04/22/2022		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Conference held on 4/22/2022 [:30] (cak) (Entered: 04/22/2022)
04/22/2022	212	<p><b>** TEXT ONLY ORDER **</b></p> <p>On April 22, 2022, the court held an unscheduled telephonic conference with the parties to discuss their differing views about how to proceed with the 50+ imminent depositions in the face of a positive COVID test by one of defendant's attorneys. With safety and common sense as the guiding principles, the court directed that neither side could insist on a remote deposition over the other side's objection; if necessary, the deposition of an important witness could be postponed until it could be done safely in person. Toward that end, the parties may schedule such depositions after the June 17, 2022 discovery cutoff if necessary. Next, the court declined to impose specific rules on COVID protocols during depositions, directing that the parties again be guided by safety and common sense in setting rules for each deposition. Finally, the court allowed the parties to supplement their submissions on the pending discovery motions if they wished. Signed by Magistrate Judge Stephen L. Crocker on 4/22/2022. (voc) (Entered: 04/22/2022)</p>
04/25/2022	<a href="#">213</a>	Motion for Leave to File <i>A Brief Amici</i> by Amicus A Friend of the Court. (Perillo, Frederick) (Entered: 04/25/2022)
04/25/2022	<a href="#">214</a>	Brief in Opposition by Amicus A Friend of the Court re: <a href="#">165</a> Motion for Partial Summary Judgment, filed by Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Perillo, Frederick) (Entered: 04/25/2022)
04/25/2022	<a href="#">215</a>	Motion to Admit Victoria Louise Bor Pro Hac Vice. ( Pro Hac Vice fee \$ 100 receipt number AWIWDC-3043570.) by Amicus A Friend of the Court. Motions referred to Magistrate Judge Stephen L. Crocker. (Bor, Victoria) (Entered: 04/25/2022)



04/26/2022	216	<b>** TEXT ONLY ORDER **</b> ORDER granting <a href="#">215</a> Motion to Admit Victoria Louise Bor Pro Hac Vice. Signed by Magistrate Judge Peter A. Oppeneer on 4/26/2022. (lak) (Entered: 04/26/2022)
04/26/2022	<a href="#">217</a>	Disregard. Modified on 4/26/2022. (lak) (Entered: 04/26/2022)
04/27/2022	<a href="#">218</a>	Redaction to <a href="#">210</a> Declaration of Justin Nemeroff filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P., (Attachments: # <a href="#">1</a> Exhibit 1 - 12/23/92 Band Letter to BIA, # <a href="#">2</a> Exhibit 2 - 6/10/92 Right of Way Renewal, # <a href="#">3</a> Exhibit 3 - 3/2017 Band Powerpoint, # <a href="#">4</a> Exhibit 4 - Tribal Council Meeting Transcripts, # <a href="#">5</a> Exhibit 5 - 7/3/19 Internal Band Email, # <a href="#">6</a> Exhibit 6 - 4/22/92 Enbridge File Memo, # <a href="#">7</a> Exhibit 7 - 1975 Right of Way Grant, # <a href="#">8</a> Exhibit 8 - Enbridge 4/8/92 Meeting Notes with BIA, # <a href="#">9</a> Exhibit 9 - 11/24/92 BIA Letter to Allottee Landowner, # <a href="#">10</a> Exhibit 10 - 5/7/92 BIA Internal Memo, # <a href="#">11</a> Exhibit 11 - 5/1/92 BIA Letter to Enbridge, # <a href="#">12</a> Exhibit 12 - 9/29/92 Enbridge Letter to Band, # <a href="#">13</a> Exhibit 13 - 11/5/92 Letter from Enbridge to Band, # <a href="#">14</a> Exhibit 14 - 12/9/92 Band Letter to Enbridge, # <a href="#">15</a> Exhibit 15 - 2/25/22 Band Answers to Requests for Admissions, # <a href="#">16</a> Exhibit 16 - 2/1/93 Band Letter to BIA, # <a href="#">17</a> Exhibit 17 - 2/8/93 Internal BIA Letter, # <a href="#">18</a> Exhibit 18 - 9/6/94 BIA Letter Enclosure, # <a href="#">19</a> Exhibit 19 - 5/17/93 Invoice for 15 Allotted Parcels, # <a href="#">20</a> Exhibit 20 - 6/15/93 WPSC Order, # <a href="#">21</a> Exhibit 21 - Tribal Council Resolution 10-30-19-226, # <a href="#">22</a> Exhibit 22 - DOI Purchase Summary Report Excerpt, # <a href="#">23</a> Exhibit 23 - DOI Tract History Report Excerpt, # <a href="#">24</a> Exhibit 24 - 2/8/17 Email re Land Ownership Analysis, # <a href="#">25</a> Exhibit 25 - 12/30/16 Corbine Email, # <a href="#">26</a> Exhibit 26 - 9/25/17 Band Emails with DOI, # <a href="#">27</a> Exhibit 27 - Land Buy Back Slideshow Excerpt, # <a href="#">28</a> Exhibit 28 - IBIA Pre Docketing Order, # <a href="#">29</a> Exhibit 29 - 1/9/17 Band Email with EPA, # <a href="#">30</a> Exhibit 30 - 4/19/13 Enbridge Letter to Band, # <a href="#">31</a> Exhibit 31 - 6/10/15 Internal Band NRD Email, # <a href="#">32</a> Exhibit 32 - 7/8/15 Letter from Enbridge to Band, # <a href="#">33</a> Exhibit 33 - 4/9/15 Band and Enbridge Meeting Summary, # <a href="#">34</a> Exhibit 34 - 2015 Enbridge Budget Proposal, # <a href="#">35</a> Exhibit 35 - 11/4/16 Enbridge Letter to Band, # <a href="#">36</a> Exhibit 36 - Tribal Council Resolution 4-18-17-802, # <a href="#">37</a> Exhibit 37 - Band Map of Pipelines, # <a href="#">38</a> Exhibit 38 - Band NRD Pipeline Fact Sheet, # <a href="#">39</a> Exhibit 39 - 1/20/17 Band Strategy Team Meeting Agenda, # <a href="#">40</a> Exhibit 40 - Tribal Council Project Denial Packets, # <a href="#">41</a> Exhibit 41 - 6/15/20 Band Letter to USACE, # <a href="#">42</a> Exhibit 42 - Band Notes from 2/13/19 Meeting, # <a href="#">43</a> Exhibit 43 - 8/5/20 PBF Energy Letter,

		# <a href="#">44</a> Exhibit 44 - 6/26/20 Shell Canada Letter, # <a href="#">45</a> Exhibit 45 - 6/26/20 Husky Energy Letter, # <a href="#">46</a> Exhibit 46 - 1977 Transit Pipeline Treaty, # <a href="#">47</a> Exhibit 47 - 4/5/22 Canada's Amicus Brief, # <a href="#">48</a> Exhibit 48 - 3/22/22 Canada Letter to USACE, # <a href="#">49</a> Exhibit 49 - Excerpted Tract Report for 430 3H308, # <a href="#">50</a> Exhibit 50 - 4/15/16 O&M Planning Meeting Agenda, # <a href="#">51</a> Exhibit 51 - Map of Allotted Parcels) (Nemeroff, Justin) Modified on 4/27/2022. (lak) (Entered: 04/27/2022)
04/28/2022	<a href="#">219</a>	Motion to Admit David R. Jury Pro Hac Vice. ( Pro Hac Vice fee \$ 100 receipt number AWIWDC-3046077.) by Amicus A Friend of the Court. Motions referred to Magistrate Judge Stephen L. Crocker. (Jury, David) (Entered: 04/28/2022)
04/29/2022	220	** TEXT ONLY ORDER ** ORDER granting <a href="#">219</a> Motion to Admit David R. Jury Pro Hac Vice. Signed by Magistrate Judge Stephen L. Crocker on 4/29/2022. (lak) (Entered: 04/29/2022)
04/29/2022	<a href="#">221</a>	Motion to Admit Xochitl S Strohbehn Pro Hac Vice. ( Pro Hac Vice fee \$ 100 receipt number AWIWDC-3047187.) by Counter Claimants Enbridge Energy Company, Inc., Enbridge Energy Company, Inc., Enbridge Energy Company, Inc., Enbridge Energy, L.P., Enbridge Energy, L.P., Enbridge Energy, L.P., Defendants Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P., Enbridge Energy, L.P., Enbridge Inc.. Motions referred to Magistrate Judge Stephen L. Crocker. (Strohbehn, Xochitl) (Entered: 04/29/2022)
05/02/2022	222	** TEXT ONLY ORDER ** ORDER granting <a href="#">221</a> Motion to Admit Xochitl S. Strohbehn Pro Hac Vice. Signed by Magistrate Judge Stephen L. Crocker on 5/2/2022. (lak) (Entered: 05/02/2022)
05/02/2022	<a href="#">223</a>	Disregard. Modified on 5/2/2022. (lak) (Entered: 05/02/2022)
05/02/2022	<a href="#">224</a>	Motion to Admit Matthew Lutwen Pro Hac Vice. ( Pro Hac Vice fee \$ 100 receipt number AWIWDC-3048403.) by Amicus United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO/CLC. Motions referred to Magistrate Judge Stephen L. Crocker. (Lutwen, Matthew) (Entered: 05/02/2022)
05/03/2022	225	** TEXT ONLY ORDER ** ORDER granting <a href="#">224</a> Motion to Admit Matthew Lutwen Pro Hac Vice. Signed by Magistrate Judge Stephen L. Crocker on 5/3/2022. (lak) (Entered: 05/03/2022)
05/05/2022	<a href="#">226</a>	Joint Motion to Amend/Correct <i>Stipulated Protective Order</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. (Attachments: # <a href="#">1</a> Exhibit 1 - Proposed Amended Stipulated Protective Order) (Nemeroff, Justin) (Entered: 05/05/2022)
05/05/2022	<a href="#">227</a>	Supplemental Brief in Support of <a href="#">177</a> Motion to Compel, <a href="#">160</a> Motion to Compel, by Defendants Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P. (Attachments: # <a href="#">1</a> Exhibit A - Rebuttal Expert Report of D. Liestra-Jones) (Nemeroff, Justin) Modified on 5/5/2022: Expert report contains numerous attachments. (lak) (Entered: 05/05/2022)



05/05/2022	<a href="#">228</a>	Motion to Compel <i>Production of Master Appraisal Report and Associated Documents Reflecting Fair Market Value of the Parcels the Band Alleges Trespass On</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P.. Motions referred to Magistrate Judge Stephen L. Crocker. Response due 5/12/2022. (Attachments: # <a href="#">1</a> Exhibit A - Band's Responses to Request Nos. 7-8, # <a href="#">2</a> Exhibit B - Excerpt from Deposition of S. Smith, # <a href="#">3</a> Exhibit C - Band's Response to Request No. 63) (Nemeroff, Justin) (Entered: 05/05/2022)
05/05/2022	229	<b>** TEXT ONLY ORDER **</b> The parties' stipulated amended protective order, dkt. <a href="#">226</a> , is accepted and entered as the court's order, superseding the January 16, 2020 protective order, dkts. <a href="#">49</a> and 50. Signed by Magistrate Judge Stephen L. Crocker on 5/5/2022. (arw) (Entered: 05/05/2022)
05/06/2022	<a href="#">230</a>	<b>MOTION FOR PARTIAL SUMMARY JUDGMENT</b> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. Brief in Opposition due 5/27/2022. Brief in Reply due 6/6/2022. (Diedrich, Joseph) Modified on 5/9/2022: Corrected filing event. Partial Summary Judgment. (lak) (Entered: 05/06/2022)
05/06/2022	<a href="#">231</a>	Brief in Support of <a href="#">230</a> Motion for Partial Summary Judgment by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Diedrich, Joseph) Modified on 5/9/2022. (lak) (Entered: 05/06/2022)
05/06/2022	<a href="#">232</a>	Proposed Findings of Fact filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. re: <a href="#">230</a> Motion for Partial Summary Judgment. (Diedrich, Joseph) Modified on 5/9/2022. (lak) (Entered: 05/06/2022)
05/06/2022	<a href="#">233</a>	Declaration of Mark Maxwell filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. re: <a href="#">230</a> Motion for Partial Summary Judgment. (Diedrich, Joseph) Modified on 5/9/2022. (lak) (Entered: 05/06/2022)
05/06/2022	<a href="#">234</a>	Declaration of Julie Molina filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. re: <a href="#">230</a> Motion for Partial Summary Judgment. (Diedrich, Joseph) Modified on 5/9/2022. (lak) (Entered: 05/06/2022)
05/10/2022	<a href="#">235</a>	Motion for Leave to File by Amicus Wisconsin Manufacturers and Commerce, Inc.. (Rosenow, Scott) (Entered: 05/10/2022)
05/10/2022	<a href="#">236</a>	Notice of Appearance filed by Scott Rosenow for Amicus Wisconsin Manufacturers and Commerce, Inc.. (Rosenow, Scott) (Entered: 05/10/2022)
05/10/2022	<a href="#">237</a>	Brief in Support of <a href="#">230</a> Motion for Partial Summary Judgment, by Amicus Wisconsin Manufacturers and Commerce, Inc. (Rosenow, Scott) (Entered: 05/10/2022)
05/11/2022	<a href="#">238</a>	Motion to Admit Michael B. Schon Pro Hac Vice. ( Pro Hac Vice fee \$ 100 receipt number AWIWDC-3054626.) by Amicus Parties American Fuel & Petrochemical Manufacturers, Association of Oil Pipe Lines, American Petroleum Institute. Motions referred to Magistrate Judge Stephen L. Crocker. (Schon, Michael) (Entered: 05/11/2022)
05/11/2022	<a href="#">239</a>	Motion for Leave to File <i>Amicus Brief in Support of Defendants' Motion for Partial Summary Judgment (Docket 230)</i> by Amicus Parties American Fuel &

		Petrochemical Manufacturers, American Petroleum Institute, Association of Oil Pipe Lines. (Keller, Scott) Modified on 5/11/2022: Deleted addresses and duplicate party. (lak) (Entered: 05/11/2022)
05/11/2022	<a href="#">240</a>	Brief in Support of <a href="#">230</a> Motion for Partial Summary Judgment, <i>filed</i> by Amicus Parties American Fuel & Petrochemical Manufacturers, American Petroleum Institute, Association of Oil Pipe Lines (Keller, Scott) (Entered: 05/11/2022)
05/12/2022	241	** TEXT ONLY ORDER ** ORDER granting <a href="#">238</a> Motion to Admit Michael B. Schon Pro Hac Vice. Signed by Magistrate Judge Stephen L. Crocker on 5/12/2022. (lak) (Entered: 05/12/2022)
05/13/2022	<a href="#">242</a>	Brief in Opposition by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">228</a> Motion to Compel,, filed by Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P. (Newman, Claire) (Entered: 05/13/2022)
05/13/2022	<a href="#">243</a>	Declaration of Philip Tinker filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">228</a> Motion to Compel,, (Attachments: # <a href="#">1</a> Exhibit Owens email to Nemeroff, # <a href="#">2</a> Exhibit BRB129231, # <a href="#">3</a> Exhibit Bad River Band's Response to ENB letter, # <a href="#">4</a> Exhibit BIA Final Response, # <a href="#">5</a> Exhibit BRB Response to ENB, # <a href="#">6</a> Exhibit BRB Response Letter to ENB, # <a href="#">7</a> Exhibit BRB letter to ENB re Buy Back, # <a href="#">8</a> Exhibit BRB request re discoverability, # <a href="#">9</a> Exhibit BRB response letter to ENB, # <a href="#">10</a> Exhibit Bad River Natural Resources Department Access Permit, # <a href="#">11</a> Exhibit Email re Meander bank rip rap) (Newman, Claire) (Entered: 05/13/2022)
05/13/2022	<a href="#">244</a>	Brief in Opposition by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">177</a> Motion to Compel,,,,,, filed by Enbridge Energy Company, Inc., Enbridge Energy, L.P., <a href="#">160</a> Motion to Compel,, filed by Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Newman, Claire) (Entered: 05/13/2022)
05/13/2022	<a href="#">245</a>	Declaration of Philip Tinker filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation <i>in Support of Response to Enbridge's Supplement to</i> re: <a href="#">177</a> Motion to Compel,,,,,, <a href="#">160</a> Motion to Compel,, (Attachments: # <a href="#">1</a> Exhibit Owens email to Nemeroff, # <a href="#">2</a> Exhibit BRB129231, # <a href="#">3</a> Exhibit Band response letter to ENB, # <a href="#">4</a> Exhibit BIA Final Response, # <a href="#">5</a> Exhibit BRB Response to to ENB, # <a href="#">6</a> Exhibit BRB Response letter to ENB, # <a href="#">7</a> Exhibit BRB letter re Buy Back, # <a href="#">8</a> Exhibit Response re discoverability, # <a href="#">9</a> Exhibit BRB Response letter to ENB, # <a href="#">10</a> Exhibit Bad River Natural Resources Department Access Permit, # <a href="#">11</a> Exhibit Email re Meander Bank Rip Rap App) (Newman, Claire) (Entered: 05/13/2022)

		05/13/2022)
05/18/2022	<a href="#">246</a>	Notice of Appearance filed by Rachel Nicole Hanson for Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Hanson, Rachel) (Entered: 05/18/2022)
05/18/2022	<a href="#">247</a>	Unopposed Motion for Extension of Time <i>to File Reply in Support of Motion for Partial Summary Judgment</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. Motions referred to Magistrate Judge Stephen L. Crocker. (Newman, Claire) (Entered: 05/18/2022)
05/19/2022	248	** TEXT ONLY ORDER ** ORDER granting <a href="#">247</a> Motion for Extension of Time. Brief in Reply due 5/26/2022. Signed by Magistrate Judge Stephen L. Crocker on 5/19/2022. (voc) (Entered: 05/19/2022)
05/20/2022	<a href="#">249</a>	Notice by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re <a href="#">243</a> Declaration,, <a href="#">244</a> Brief in Opposition, <a href="#">242</a> Brief in Opposition, <a href="#">245</a> Declaration,, <i>Letter of Errata</i> . (Newman, Claire) (Entered: 05/20/2022)
05/25/2022	<a href="#">250</a>	Unopposed Motion for Extension of Time <i>to File Response to Defendants' Motion for Partial Summary Judgment</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. Motions referred to Magistrate Judge Stephen L. Crocker. (Newman, Claire) (Entered: 05/25/2022)
05/26/2022	<a href="#">251</a>	Declaration of Gerald E. Davis filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation <i>in Support of</i> re: <a href="#">165</a> Motion for Partial Summary Judgment, (Attachments: # <a href="#">1</a> Exhibit A-Davis Affirmative Report) (Newman, Claire) (Entered: 05/26/2022)
05/26/2022	<a href="#">252</a>	Declaration of Sarah Emerson filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation <i>in Support of</i> re: <a href="#">165</a> Motion for Partial Summary Judgment, (Attachments: # <a href="#">1</a> Exhibit A-Expert Report of Sarah Emerson, # <a href="#">2</a> Exhibit B-Expert Rebuttal Report of Sarah Emerson) (Newman, Claire) (Entered: 05/26/2022)
05/26/2022	<a href="#">253</a>	Declaration of Randy Meyer filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation <i>in Support of</i> re: <a href="#">165</a> Motion for Partial Summary Judgment, (Newman, Claire) (Entered: 05/26/2022)
05/26/2022	<a href="#">254</a>	Declaration of Jill Steiner filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation <i>in Support of</i> re: <a href="#">165</a> Motion for Partial Summary Judgment, (Attachments: # <a href="#">1</a> Exhibit A-Jill Steiner Expert Rebuttal) (Newman, Claire) (Entered: 05/26/2022)
05/26/2022	<a href="#">255</a>	Declaration of Graham Brisben filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation <i>in Support of</i> re: <a href="#">165</a> Motion for Partial Summary Judgment, (Attachments: # <a href="#">1</a> Exhibit A-Expert report of Brisben) (Newman, Claire) (Entered: 05/26/2022)
05/26/2022	<a href="#">256</a>	Brief in Reply by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation in Support of <a href="#">165</a> Motion for Partial Summary Judgment, <i>on Defendants' Counterclaims</i> (Newman, Claire) (Entered: 05/26/2022)

05/26/2022	<a href="#">257</a>	Reply in Support of Proposed Findings of Fact filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">165</a> Motion for Partial Summary Judgment, (Sealed Document) (Newman, Claire) (Entered: 05/26/2022)
05/26/2022	<a href="#">258</a>	Supplemental Declaration of Philip H. Tinker filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">165</a> Motion for Partial Summary Judgment, (Sealed Document) (Attachments: # <a href="#">1</a> Exhibit A - Excerpted Copies of U.S. Dept. of the Interior Tract History Reports, # <a href="#">2</a> Exhibit B - Letter dated March 4, 2016, # <a href="#">3</a> Exhibit C - Letter dated November 5, 2020, # <a href="#">4</a> Exhibit D - Answer Brief, # <a href="#">5</a> Exhibit E - Enbridge Opening Brief, # <a href="#">6</a> Exhibit F - EPA Will Affect Letter, # <a href="#">7</a> Exhibit G - Document dated March 31, 2021, # <a href="#">8</a> Exhibit H - Map Entitled "Expired Rights-of-Way Through Tribal and Individual Trust Parcels Along Enbride Line 5") (Newman, Claire) Modified on 5/27/2022. (lak) (Entered: 05/26/2022)
05/26/2022	<a href="#">259</a>	Redaction to <a href="#">258</a> Supplemental Declaration of Philip H. Tinker filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Attachments: # <a href="#">1</a> Exhibit A - Excerpted Copies of U.S. Dept. of the Interior Tract History Reports, # <a href="#">2</a> Exhibit B - Letter dated March 4, 2016, # <a href="#">3</a> Exhibit C - Letter dated November 5, 2020, # <a href="#">4</a> Exhibit D - Answer Brief, # <a href="#">5</a> Exhibit E - Enbridge Opening Brief, # <a href="#">6</a> Exhibit F - EPA Will Affect Letter, # <a href="#">7</a> Exhibit G - Document dated March 31, 2021, # <a href="#">8</a> Exhibit H - Map Entitled "Expired Rights-of-Way Through Tribal and Individual Trust Parcels Along Enbridge Line 5") (Newman, Claire) Modified on 5/27/2022. (lak) (Entered: 05/26/2022)
05/26/2022	<a href="#">260</a>	Redaction to <a href="#">257</a> Reply in Support of Proposed Findings of Fact filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Newman, Claire) Modified on 5/27/2022. (lak) (Entered: 05/26/2022)
05/26/2022	<a href="#">261</a>	Declaration of Randy Meyer filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">165</a> Motion for Partial Summary Judgment, (Attachments: # <a href="#">1</a> Exhibit A-Meyer Rebuttal Report) (Newman, Claire) (Entered: 05/27/2022)
05/27/2022	<a href="#">262</a>	Expert Report of Neil Earnest by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Newman, Claire) Modified on 5/27/2022: Numerous attachments. (lak) (Entered: 05/27/2022)
05/27/2022	263	<b>** TEXT ONLY ORDER **</b> ORDER granting <a href="#">250</a> Motion for Extension of Time. Plaintiff's deadline is extended to June 10, 2022, defendants' reply is due June 24, 2022. Signed by Magistrate Judge Stephen L. Crocker on 5/27/2022. (voc) (Entered: 05/27/2022)

05/27/2022	264	<b>** TEXT ONLY ORDER **</b> Order amending 263 Text Only Order. Defendants' reply is due 7/1/2022. Signed by Magistrate Judge Stephen L. Crocker on 5/27/2022. (lak) (Entered: 05/27/2022)
05/27/2022	<a href="#">265</a>	Declaration of Sarah Emerson filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation <i>in Support of re: <a href="#">165</a> Motion for Partial Summary Judgment</i> , (Attachments: # <a href="#">1</a> Exhibit A-Expert Report of Sarah Emerson, # <a href="#">2</a> Exhibit B-Expert Rebuttal Report of Sarah Emerson) (Newman, Claire) (Entered: 05/27/2022)
06/09/2022	<a href="#">266</a>	Motion to Admit Andy Buchsbaum Pro Hac Vice. ( Pro Hac Vice fee \$ 100 receipt number AWIWDC-3072188.) by Amicus Great Lakes Business Network. Motions referred to Magistrate Judge Stephen L. Crocker. (Buchsbaum, Andy) (Entered: 06/09/2022)
06/10/2022	267	<b>** TEXT ONLY ORDER **</b> ORDER granting <a href="#">266</a> Motion to Admit Andy Buchsbaum Pro Hac Vice. Signed by Magistrate Judge Stephen L. Crocker on 6/10/2022. (lak) (Entered: 06/10/2022)
06/10/2022	<a href="#">268</a>	Expert Report of Wright Water Engineers by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Attachments: # <a href="#">1</a> Expert Report of Wright Water Engineers (part two of five), # <a href="#">2</a> Expert Report of Wright Water Engineers, # <a href="#">3</a> Expert Report of Wright Water Engineers (part 4 of 5), # <a href="#">4</a> Expert Report of Wright Water Engineers (part 5 of 5), # <a href="#">5</a> Exhibit Jones Aff. Report Discl., # <a href="#">6</a> Exhibit Paton Aff. Report Discl., # <a href="#">7</a> Exhibit Herricks Aff. Report Discl.) (Newman, Claire) (Entered: 06/10/2022)
06/10/2022	<a href="#">269</a>	Expert Report of Wright Water Engineers-Rebuttal by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Attachments: # <a href="#">1</a> Exp Rebuttal Rep of WWE (Part 2 of 3), # <a href="#">2</a> Exp. Rebuttal Rep. of WWE (part 3 of 3), # <a href="#">3</a> Exhibit App. 2-D Animation, # <a href="#">4</a> Exhibit A-Jon Jones Reb. Discl., # <a href="#">5</a> Exhibit B-Paton Reb. Discl.) (Newman, Claire) (Entered: 06/10/2022)
06/10/2022	<a href="#">270</a>	Deposition of Jonathan E. Jones taken on May 12, 2022. ( <u>Sealed Document</u> ) (Newman, Claire) (Entered: 06/10/2022)
06/10/2022	<a href="#">271</a>	Deposition of Dagmar Schmidt Etkin taken on May 12, 2022. ( <u>Sealed Document</u> ) (Newman, Claire) (Entered: 06/10/2022)
06/10/2022	<a href="#">272</a>	Disregard. ( <u>Sealed Document</u> ) Modified on 6/13/2022. (lak) (Entered: 06/10/2022)
06/10/2022	<a href="#">273</a>	Deposition of Hamish Weatherly taken on May 26, 2022. ( <u>Sealed Document</u> ) (Newman, Claire) (Entered: 06/10/2022)
06/10/2022	<a href="#">274</a>	Disregard. ( <u>Sealed Document</u> ) Modified on 6/13/2022. (lak) (Entered: 06/10/2022)
06/10/2022	<a href="#">275</a>	Deposition of Naomi Tillison taken on May 9, 2022. ( <u>Sealed Document</u> ) (Newman, Claire) (Entered: 06/10/2022)



06/10/2022	<a href="#">276</a>	Expert Report of Hamish Weatherly by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Newman, Claire) (Entered: 06/10/2022)
06/10/2022	<a href="#">277</a>	Expert Report of Hamish Weatherly-Rebuttal by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Newman, Claire) (Entered: 06/10/2022)
06/10/2022	<a href="#">278</a>	Expert Report of Matthew Horn (Excerpts)-Rebuttal by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation ( <u>Scaled Document</u> ) (Attachments: # <a href="#">1</a> Exhibit A-App. A Rebuttal Report of Matthew Horn-Tech App.: Oil Spill Trajectory and Fate Assessment: Enbridge Line 5 w/in the Bad River Reservation (excerpts), # <a href="#">2</a> Exhibit B-Matthew Horn Video titled Surface Oil Concentration and Total Hydrocarbons on the Shoreline) (Newman, Claire) (Entered: 06/10/2022)
06/10/2022	<a href="#">279</a>	Declaration of Jonathan E. Jones filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation <i>in Support of Plaintiff's Opposition</i> re: <a href="#">230</a> Motion for Partial Summary Judgment, (Newman, Claire) (Entered: 06/10/2022)
06/10/2022	<a href="#">280</a>	Declaration of Ian B. Paton filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation <i>in Support of Plaintiff's Opposition</i> re: <a href="#">230</a> Motion for Partial Summary Judgment, (Newman, Claire) (Entered: 06/10/2022)
06/10/2022	<a href="#">281</a>	Declaration of Edwin E. Herricks filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation <i>in Support of Plaintiff's Opposition</i> re: <a href="#">230</a> Motion for Partial Summary Judgment, (Newman, Claire) (Entered: 06/10/2022)
06/10/2022	<a href="#">282</a>	Brief in Opposition by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">230</a> Motion for Partial Summary Judgment, filed by Enbridge Energy Company, Inc., Enbridge Energy, L.P. ( <u>Scaled Document</u> ) (Newman, Claire) (Entered: 06/10/2022)
06/10/2022	<a href="#">283</a>	Proposed Findings of Fact filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">230</a> Motion for Partial Summary Judgment, <i>filed by Enbridge Energy Company</i> ( <u>Scaled Document</u> ) (Newman, Claire) (Entered: 06/10/2022)
06/10/2022	<a href="#">284</a>	Response to Proposed Findings of Fact filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">230</a> Motion for Partial Summary Judgment, <i>filed by Enbridge Energy Company</i> ( <u>Scaled Document</u> ) (Newman, Claire) (Entered: 06/10/2022)
06/10/2022	<a href="#">285</a>	Declaration of Philip H. Tinker filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation <i>in Support of Response to</i> re: <a href="#">230</a> Motion for Partial Summary Judgment, ( <u>Scaled Document</u> ) (Attachments: # <a href="#">1</a> Exhibit Exhibit A - BRB018777 - Final decision document re Overland Channel Turf Reinforcement Matting project proposal, # <a href="#">2</a> Exhibit Exhibit B - BRB202493 - Final decision document re Overland Channel

		<p>Armoring (rip rap) project proposal,  # <a href="#">3</a> Exhibit Exhibit C - BRB200681 - Final decision document re Bad River Meander Tree Revetment project proposal,  # <a href="#">4</a> Exhibit Exhibit D - BRB133347 - Final decision document re Meander Bank Rip Rap stabilization project proposal,  # <a href="#">5</a> Exhibit Exhibit E - BRB018736 - Final decision document re Geotechnical Boring project proposal,  # <a href="#">6</a> Exhibit Exhibit F - BRB056318 - Final decision document re Horizontal Directoinal Drilling project proposal,  # <a href="#">7</a> Exhibit Exhibit G - ENB00202680 - Email from April Holdren to Naomi Tillison,  # <a href="#">8</a> Exhibit Exhibit H - ENB00396936 - Email from Julie A. Kloss Molina to Naomi Tillison,  # <a href="#">9</a> Exhibit Exhibit I - BARR0016947 - Enbridge Integrity Digs in Progress Inspection Site Evaluation Form, Feb. 10, 2020,  # <a href="#">10</a> Exhibit Exhibit J - BRB005736 - Enbridge In Progress Inspection Site Evaluation Form, Nov. 5, 2018,  # <a href="#">11</a> Exhibit Exhibit K - ENB00215704 - Email from Mark Maxwell to Mike Hill, Lara Pal, and Ryan Spoon,  # <a href="#">12</a> Exhibit Exhibit L - BARR0144406 - Email exchange between A. Hendi, A. Severson, and J. Puckett,  # <a href="#">13</a> Exhibit Exhibit M - ENB00389479 - Email exchange between A. Hendi, A. Severson, and J. Puckett,  # <a href="#">14</a> Exhibit Exhibit N_031821 HDD Application,  # <a href="#">15</a> Exhibit Exhibit O_030921 Tree Revetment Application,  # <a href="#">16</a> Exhibit Exhibit P_Ashland County WI GIS Website) (Newman, Claire) (Entered: 06/10/2022)</p>
06/10/2022	<a href="#">286</a>	Redaction to <a href="#">282</a> Brief in Opposition by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Newman, Claire) Modified on 6/13/2022. (lak) (Entered: 06/10/2022)
06/10/2022	<a href="#">287</a>	Redaction to <a href="#">283</a> Proposed Findings of Fact filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Newman, Claire) Modified on 6/13/2022. (lak) (Entered: 06/10/2022)
06/10/2022	<a href="#">288</a>	Redaction to <a href="#">284</a> Response to Proposed Findings of Fact filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Newman, Claire) Modified on 6/13/2022. (lak) (Entered: 06/10/2022)
06/15/2022	<a href="#">289</a>	Deposition of Matthew Horn taken on May 24, 2022 <i>Corrected Docket No. 272 Condensed Rough Draft. (Sealed Document)</i> (Newman, Claire) (Entered: 06/15/2022)
06/15/2022	<a href="#">290</a>	Deposition of Ali Hendi taken on June 1, 2022 <i>Corrected Docket No. 274 Condensed Rough Draft. (Sealed Document)</i> (Newman, Claire) (Entered: 06/15/2022)
06/15/2022	<a href="#">291</a>	Supplemental Declaration of Philip H. Tinker filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation <i>in Support of its Opposition to Enbridge's</i> re: <a href="#">230</a> Motion for Partial Summary Judgment, (Newman, Claire) (Entered: 06/15/2022)



06/15/2022	<a href="#">292</a>	Deposition of Matthew Horn taken on May 24, 2022. ( <a href="#">Sealed Document</a> ) (Newman, Claire) (Entered: 06/15/2022)
06/15/2022	<a href="#">293</a>	Deposition of Ali Hendi taken on Jun 1, 2022. ( <a href="#">Sealed Document</a> ) (Newman, Claire) (Entered: 06/15/2022)
06/16/2022	<a href="#">294</a>	Motion for Leave to File <i>Amicus Brief in Opposition to Enbridge's Motion for Partial Summary Judgment</i> by Amicus Great Lakes Business Network. (Buchsbaum, Andy) (Entered: 06/16/2022)
06/16/2022	<a href="#">295</a>	Brief in Opposition to Enbridge's Motion for Partial Summary Judgment by Amicus Great Lakes Business Network. (Buchsbaum, Andy) Modified on 6/16/2022. (lak) (Entered: 06/16/2022)
06/17/2022	<a href="#">296</a>	Notice by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. re <a href="#">207</a> Brief in Opposition, <i>Letter to the Court re Hyperlinked Opposition Filings</i> . (Nemeroff, Justin) (Entered: 06/17/2022)
06/22/2022	<a href="#">297</a>	Disregard. Modified on 6/23/2022. (lak) (Entered: 06/22/2022)
06/22/2022	<a href="#">298</a>	Redaction to <a href="#">285</a> Declaration of <i>Philip H. Tinker</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Attachments: # <a href="#">1</a> Exhibit A-BRB018777 - Final decision document re Overland Channel Turf Reinforcement Matting project proposal, # <a href="#">2</a> Exhibit B-BRB202493 - Final decision document re Overland Channel Armoring (rip rap) project proposal, # <a href="#">3</a> Exhibit C-BRB200681 - Final decision document re Bad River Meander Tree Revetment project proposal, # <a href="#">4</a> Exhibit D-BRB133347 - Final decision document re Meander Bank Rip Rap stabilization project proposal, # <a href="#">5</a> Exhibit E-BRB018736 - Final decision document re Geotechnical Boring project proposal, # <a href="#">6</a> Exhibit F-BRB018736 - Final decision document re Geotechnical Boring project proposal, # <a href="#">7</a> Exhibit G-ENB00202680 - Email from April Holdren to Naomi Tillison, # <a href="#">8</a> Exhibit H-ENB00396936 - Email from Julie A. Kloss Molina to Naomi Tillison, # <a href="#">9</a> Exhibit I-BARR0016947 - Enbridge Integrity Digs in Progress Inspection Site Evaluation Form, Feb. 10, 2020, # <a href="#">10</a> Exhibit J-BRB005736 - Enbridge In Progress Inspection Site Evaluation Form, Nov. 5, 2018, # <a href="#">11</a> Exhibit K-ENB00215704 - Email from Mark Maxwell to Mike Hill, Lara Pal, and Ryan Spoon, # <a href="#">12</a> Exhibit L-ENB00215704 - Email from Mark Maxwell to Mike Hill, Lara Pal, and Ryan Spoon, # <a href="#">13</a> Exhibit M-ENB00389479 - Email exchange between A. Hendi, A. Severson, and J. Puckett, # <a href="#">14</a> Exhibit N-HDD Application, # <a href="#">15</a> Exhibit O-Tree Revetment Application, # <a href="#">16</a> Exhibit P-Ashland County WI GIS Website) (Newman, Claire) (Entered: 06/22/2022)

06/22/2022	<a href="#">299</a>	Redaction to <a href="#">278</a> Expert Report, of <i>Dr. Matthew Horn</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Attachments: # <a href="#">1</a> Exhibit A-Appendix A to the Rebuttal Report of Dr. Matthew Horn, # <a href="#">2</a> Exhibit B-Horn Video) (Newman, Claire) (Entered: 06/22/2022)
06/23/2022	<a href="#">300</a>	Redaction to <a href="#">283</a> Proposed Findings of Fact, by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Newman, Claire) (Entered: 06/23/2022)
06/23/2022	<a href="#">301</a>	Redaction to <a href="#">282</a> Brief in Opposition, by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Newman, Claire) (Entered: 06/23/2022)
06/23/2022	<a href="#">302</a>	Redaction to <a href="#">284</a> Response to Proposed Findings of Fact, by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Newman, Claire) (Entered: 06/23/2022)
06/23/2022	<a href="#">303</a>	Redaction to <a href="#">283</a> Proposed Findings of Fact, by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Newman, Claire) (Entered: 06/23/2022)
06/24/2022	<a href="#">304</a>	Joint Motion to Defer Filing of Redacted Deposition Transcripts on the Public Docket Pending Parties' Confidentiality Review as Provided in Stipulated Protective Order by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Newman, Claire) (Entered: 06/24/2022)
06/29/2022	<a href="#">305</a>	Deposition of Lorrie Salawater taken on June 21, 2022. ( <u>Sealed Document</u> ) (Nemeroff, Justin) Modified on 6/29/2022: This is a rough draft. Final version in condensed format to be filed. (lak) (Entered: 06/29/2022)
06/29/2022	<a href="#">306</a>	Deposition of Edith Leoso taken on June 22, 2022. ( <u>Sealed Document</u> ) (Nemeroff, Justin) Modified on 6/29/2022: This is a rough draft. Final version in condensed format to be filed. (lak) (Entered: 06/29/2022)
06/29/2022	<a href="#">307</a>	Motion for Discovery <i>for Leave to Depose or Exclude Jon Jones</i> ( <u>Sealed Document</u> ) by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. Motions referred to Magistrate Judge Stephen L. Crocker. Response due 7/6/2022. (Attachments: # <a href="#">1</a> Exhibit A - June 12, 2022 Correspondence, # <a href="#">2</a> Exhibit B - June 17, 2022 Correspondence) (Nemeroff, Justin) (Entered: 06/29/2022)
06/30/2022	<a href="#">308</a>	Disregard. Filed in error. Modified on 7/1/2022 (jls). (Entered: 06/30/2022)
06/30/2022	<a href="#">309</a>	Disregard. Filed in error. Modified on 7/1/2022 (jls). (Entered: 06/30/2022)
07/01/2022	<a href="#">311</a>	Motion to Compel <i>Rule 34 Inspection of Reservation Lands Relevant to the Nuisance Claims and Defenses</i> ( <u>Sealed Document</u> ) by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. Motions referred to Magistrate Judge Stephen L. Crocker. Response due 7/8/2022. (Attachments: # <a href="#">1</a> Exhibit A - May 9, 2022 Rule 34 Request for Inspection, # <a href="#">2</a> Exhibit B - June 24, 2022 Access Permit Request, # <a href="#">3</a> Exhibit C - June 30, 2022 Correspondence re Meander Visit, # <a href="#">4</a> Exhibit D - June 11, 2022 Correspondence,

		# <a href="#">5</a> Exhibit E - June 17, 2022 Band's Obj. and Resp. to Rule 34 Request for Inspection) (Nemeroff, Justin) (Entered: 07/01/2022)
07/01/2022	<a href="#">312</a>	Redaction to <a href="#">311</a> Motion to Compel <i>Rule 34 Inspection of Reservation Lands Relevant to the Nuisance Claims and Defenses</i> ( <u>Sealed Document</u> ) by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Attachments: # <a href="#">1</a> Exhibit A - May 9, 2022 Rule 34 Request for Inspection, # <a href="#">2</a> Exhibit B - June 24, 2022 Access Permit Request, # <a href="#">3</a> Exhibit C - June 30, 2022 Correspondence re Meander Visit, # <a href="#">4</a> Exhibit D - June 11, 2022 Correspondence, # <a href="#">5</a> Exhibit E - June 17, 2022 Band's Obj. and Resp. to Rule 34 Request for Inspection) (Nemeroff, Justin) (Entered: 07/01/2022)
07/01/2022	<a href="#">313</a>	Deposition of Mark Weesner taken on May 16, 2022. ( <u>Sealed Document</u> ) (Nemeroff, Justin) (Entered: 07/01/2022)
07/01/2022	<a href="#">314</a>	Deposition of Edwin Herricks taken on May 20, 2022. ( <u>Sealed Document</u> ) (Nemeroff, Justin) (Entered: 07/01/2022)
07/01/2022	<a href="#">315</a>	Deposition of Ian Paton taken on May 11, 2022. ( <u>Sealed Document</u> ) (Nemeroff, Justin) (Entered: 07/01/2022)
07/01/2022	<a href="#">316</a>	Expert Report of Scott Storlid with Six Exhibits by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) Modified on 7/5/2022: E-mail sent to counsel. (lak) (Entered: 07/01/2022)
07/01/2022	<a href="#">317</a>	Expert Report of David Koltz with Attachments by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) Modified on 7/5/2022. (lak) (Entered: 07/01/2022)
07/01/2022	<a href="#">318</a>	Expert Report of Peter Barlow with Attachment- Rebuttal by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) Modified on 7/5/2022. (lak) (Entered: 07/01/2022)
07/01/2022	<a href="#">319</a>	Deposition of Colin McGuire taken on June 6, 2022. ( <u>Sealed Document</u> ) (Nemeroff, Justin) (Entered: 07/01/2022)
07/01/2022	<a href="#">320</a>	Deposition of Peter Song taken on May 25, 2022. ( <u>Sealed Document</u> ) (Nemeroff, Justin) (Entered: 07/01/2022)
07/01/2022	<a href="#">321</a>	Deposition of Len LeBlanc taken on May 3, 2022. (Nemeroff, Justin) (Entered: 07/01/2022)
07/01/2022	<a href="#">322</a>	Deposition of Mark Maxwell taken on May 16, 2022. ( <u>Sealed Document</u> ) (Nemeroff, Justin) (Entered: 07/01/2022)
07/01/2022	<a href="#">323</a>	Brief in Reply by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. in Support of <a href="#">230</a> Motion for Partial Summary Judgment, (Diedrich, Joseph) (Entered: 07/01/2022)
07/01/2022	<a href="#">324</a>	Declaration of Justin Nemeroff filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. re: <a href="#">230</a> Motion for Partial Summary Judgment, ( <u>Sealed Document</u> ) (Attachments: # <a href="#">1</a> Exhibit 1 - 2020 Depth of Cover Survey, # <a href="#">2</a> Exhibit 2 - Meander Shutdown Plan, # <a href="#">3</a> Exhibit 3 - 2019 Administrative Order on Consent, # <a href="#">4</a> Exhibit 4 - 2021 Administrative Order on Consent,

		<p># <a href="#">5</a> Exhibit 5 - 2020 Internal Band emails, # <a href="#">6</a> Exhibit 6 - October 2021 Letter to Army Corps of Engineers, # <a href="#">7</a> Exhibit 7 - December 2021 Letter to Army Corps of Engineers, # <a href="#">8</a> Exhibit 8 - November 2021 email from Enbridge to Band, # <a href="#">9</a> Exhibit 9 - March 2022 email from Enbridge to Band, # <a href="#">10</a> Exhibit 10 - February 2021 Band and NNG emails, # <a href="#">11</a> Exhibit 11 - June 2017 Band and NNG Meeting Notes, # <a href="#">12</a> Exhibit 12 - Communications between Band and GLGT) (Nemeroff, Justin) (Entered: 07/01/2022)</p>
07/01/2022	<a href="#">325</a>	Response to Proposed Findings of Fact filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. re: <a href="#">230</a> Motion for Partial Summary Judgment, (Nemeroff, Justin) (Entered: 07/01/2022)
07/05/2022	326	<p><b>** TEXT ONLY ORDER **</b></p> <p>On July 1, 2022, defendant filed a motion to compel an inspection (dkt. 311), to which plaintiff's response is due July 8, 2022. Still pending are three other motions to compel filed by defendant (dkt. 160, 177, and 228), which are intertwined with the latest motion. Although discovery closed on June 17, 2022 (unless the parties have agreed to an extension), the court will re-open discovery in a limited fashion if it grants any of the pending motions. The court will hold a telephonic motion hearing on July 18, 2022 at 1:30 p.m. at which it will rule on all pending discovery motions. The court may ask the parties to answer its questions, but they should not plan on making presentations. Not later than noon on July 15, 2022 the parties may update their submissions on these motions, but they are not required to do so. Signed by Magistrate Judge Stephen L. Crocker on 7/5/2022. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264-5153. (voc) (Entered: 07/05/2022)</p>
07/05/2022	<a href="#">327</a>	Unopposed Motion for Extension of Time <i>to File Its Response to Defendants' Motions, Docket Numbers 307 and 312</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. Motions referred to Magistrate Judge Stephen L. Crocker. (Kanji, Riyaz) Modified on 7/6/2022: Docket Number 312 is a redacted version of a sealed entry. (lak) (Entered: 07/05/2022)
07/06/2022	328	<p><b>** TEXT ONLY ORDER **</b></p> <p>ORDER granting <a href="#">327</a> Motion for Extension of Time. Plaintiff's response deadline is moved to July 15, 2022 at noon. Signed by Magistrate Judge Stephen L. Crocker on 7/6/2022. (voc) (Entered: 07/06/2022)</p>
07/07/2022	<a href="#">329</a>	Deposition of Edwin Herricks taken on May 20, 2022. (Nemeroff, Justin) (Entered: 07/07/2022)
07/07/2022	<a href="#">330</a>	Deposition of Ian Paton taken on May 11, 2022. (Nemeroff, Justin) (Entered: 07/07/2022)
07/07/2022	<a href="#">331</a>	Deposition of Lorrie Salawater taken on June 21, 2022. ( <u>Sealed Document</u> ) (Nemeroff, Justin) (Entered: 07/07/2022)
07/07/2022	<a href="#">332</a>	Deposition of Edith Leoso taken on June 22, 2022. ( <u>Sealed Document</u> ) (Nemeroff, Justin) (Entered: 07/07/2022)

07/08/2022	<a href="#">333</a>	Deposition of Jonathan E. Jones taken on May 12, 2022. (Kanji, Riyaz) Modified on 7/8/2022. (lak) (Entered: 07/08/2022)
07/08/2022	<a href="#">334</a>	Deposition of Dagmar Schmidt Etkin taken on May 12, 2022. (Kanji, Riyaz) Modified on 7/8/2022. (lak) (Entered: 07/08/2022)
07/08/2022	<a href="#">335</a>	Deposition of Hamish Weatherly taken on May 26, 2022. (Kanji, Riyaz) Modified on 7/8/2022. (lak) (Entered: 07/08/2022)
07/08/2022	<a href="#">336</a>	Deposition of Naomi Tillison taken on May 9, 2022. (Kanji, Riyaz) Modified on 7/8/2022. (lak) (Entered: 07/08/2022)
07/08/2022	<a href="#">337</a>	Redaction to <a href="#">273</a> Deposition of <i>Hamish Weatherly taken on May 26, 2022</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 07/08/2022)
07/08/2022	<a href="#">338</a>	Redaction to <a href="#">275</a> Deposition of <i>Naomi Tillison taken May 9, 2022</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 07/08/2022)
07/13/2022	<a href="#">339</a>	Redaction to <a href="#">324</a> Declaration, (Attachments: # <a href="#">1</a> Exhibit 1 - 2020 Depth of Cover Survey, # <a href="#">2</a> Exhibit 2 - Meander Shutdown Plan, # <a href="#">3</a> Exhibit 3 - 2019 Administrative Order on Consent, # <a href="#">4</a> Exhibit 4 - 2021 Administrative Order on Consent, # <a href="#">5</a> Exhibit 5 - 2020 Internal Band Emails, # <a href="#">6</a> Exhibit 6 - October 2021 Letter to Army Corps of Engineers, # <a href="#">7</a> Exhibit 7 - December 2021 Letter to Army Corps of Engineers, # <a href="#">8</a> Exhibit 8 - November 2021 Email from Enbridge to Band, # <a href="#">9</a> Exhibit 9 - March 2022 Email from Enbridge to Band, # <a href="#">10</a> Exhibit 10 - February 2021 Band and NNG Emails, # <a href="#">11</a> Exhibit 11 - June 2017 Band and NNG Meeting Notes, # <a href="#">12</a> Exhibit 12 - Communications between Band and GLGT) (Nemeroff, Justin) Modified on 7/14/2022. (lak) (Entered: 07/13/2022)
07/14/2022	<a href="#">340</a>	Motion to Join <a href="#">240</a> Brief in Support, <a href="#">239</a> Motion for Leave to File <i>Amicus Brief in Support of Defendants' Motion for Partial Summary Judgment (Docket 230)</i> by Interested Parties Michigan Propane Gas Association, National Propane Gas Association, Wisconsin Propane Gas Association. (Stalker, Margaret) (Entered: 07/14/2022)
07/15/2022	<a href="#">341</a>	Supplement to <a href="#">311</a> Motion to Compel,, filed by Enbridge Energy Company, Inc., Enbridge Energy, L.P., <a href="#">177</a> Motion to Compel,,,,, filed by Enbridge Energy Company, Inc., Enbridge Energy, L.P., <a href="#">228</a> Motion to Compel,, filed by Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P., <a href="#">307</a> Motion for Discovery, filed by Enbridge Energy Company, Inc., Enbridge Energy, L.P., <a href="#">160</a> Motion to Compel,, filed by Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Attachments: # <a href="#">1</a> Exhibit A - July 11, 2022 Email from Bad River MNRD Re Project Denial, # <a href="#">2</a> Exhibit B - July 8 & July 14, 2022 Emails between Counsel Re Meander Inspection, # <a href="#">3</a> Exhibit C - July 1, 2022 Letter from Bad River Band Re Wright Water Engineers Discovery, # <a href="#">4</a> Exhibit D - Annotated Map Re TransCanada Riprap Projects on Meander)



		(Nemeroff, Justin) (Entered: 07/15/2022)
07/15/2022	<a href="#">342</a>	Brief in Opposition by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">307</a> Motion for Discovery, filed by Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>Bad River's Response to Enbridge's Motion for Leave to Depose Jon Jones or to Exclude His New Opinions</i> (Kanji, Riyaz) (Entered: 07/15/2022)
07/15/2022	<a href="#">343</a>	Declaration of Naomi Tillison filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation <i>in Support of the Bad River Band's Response to Enbridge's Motion for Leave to Depose Jon Jones or to Exclude His New Opinions and Enbridge's Motion to Compel Rule 34 Inspection of Reservation Lands Relevant to the Nuisance Claims and Defenses</i> re: <a href="#">307</a> Motion for Discovery, (Attachments: # <a href="#">1</a> Exhibit May 27, 2022 Email) (Kanji, Riyaz) (Entered: 07/15/2022)
07/15/2022	<a href="#">344</a>	Brief in Opposition by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">311</a> Motion to Compel,, filed by Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Kanji, Riyaz) (Entered: 07/15/2022)
07/15/2022	<a href="#">345</a>	Declaration of Naomi Tillison filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation <i>in Support of the Bad River Band's Response</i> re: <a href="#">311</a> Motion to Compel, (Attachments: # <a href="#">1</a> Exhibit Enbridge's Meander Riprap Plan) (Kanji, Riyaz) (Entered: 07/15/2022)
07/18/2022	346	<b>** TEXT ONLY ORDER **</b> On July 18, 2022, the court held a telephonic hearing on the pending discovery motions, and it revised the schedule slightly. The court granted in part and denied in part defendant's motions to compel docketed at <a href="#">160</a> , <a href="#">177</a> , <a href="#">307</a> and <a href="#">311</a> in the manner and for the reasons stated. The court denied defendant's motion to compel docketed as <a href="#">228</a> . Discovery is reopened until August 29, 2022 for the purpose of completing the discovery ordered by the court. No other discovery is allowed, and the court will not entertain any more discovery motions. Submissions for the final pretrial conference are due by September 9, 2022, responses by September 23, 2022. The "first" final pretrial conference will begin at 2:30 p.m. on October 11, 2022, the "second" final pretrial conference will begin at 2:30 p.m. on October 18, 2022. Jury selection and trial will begin at 9:00 a.m. on October 24, 2022, as currently scheduled. The court answered some procedural question from both sides, then closed the hearing. Each side will bear its own costs on all motions. Signed by Magistrate Judge Stephen L. Crocker on 7/18/2022. (voc) (Entered: 07/18/2022)
07/19/2022	347	<b>** TEXT ONLY ORDER **</b> ORDER granting <a href="#">304</a> Joint Motion to Defer Filing of Redacted Deposition Transcripts on the Public Docket Pending Parties' Confidentiality Review as Provided in Stipulated Protective Order Signed by Magistrate Judge Stephen L. Crocker on 7/19/2022. (voc) (Entered: 07/19/2022)
07/19/2022	<a href="#">348</a>	Redaction to <a href="#">272</a> Deposition of <i>Matthew Horn taken May 24, 2022</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 07/19/2022)
07/19/2022	<a href="#">349</a>	Transcript of Telephonic Motion Hearing, held 7/18/2022 before Magistrate Judge Stephen L. Crocker. Court Reporter: JD.

		Please review the court's new policy regarding electronic transcripts of court proceedings: see <a href="#">Electronic Transcript Instructions</a> . (voc) (Entered: 07/19/2022)
07/19/2022	<a href="#">350</a>	Deposition of Ali Hendi taken on June 1, 2022. (Kanj, Riyaz) (Entered: 07/19/2022)
07/20/2022		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Motion Hearing held on 7/18/2022 [:30] (cak) (Entered: 07/20/2022)
07/27/2022	<a href="#">351</a>	Notice by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. re <a href="#">230</a> MOTION FOR PARTIAL SUMMARY JUDGMENT <i>Letter to the Court re Hyperlinked Summary Judgment Filings</i> . (Nemeroff, Justin) (Entered: 07/27/2022)
08/10/2022	352	<b>** TEXT ONLY ORDER **</b> On August 10, 2022, the court held an unscheduled telephonic hearing with the parties to referee a deposition dispute. The court provided its ruling and directed the parties to carry on. Signed by Magistrate Judge Stephen L. Crocker on 8/10/2022. (voc) (Entered: 08/10/2022)
08/10/2022		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Conference held on 8/10/2022 [:20] (cak) (Entered: 08/10/2022)
08/12/2022	<a href="#">353</a>	Motion for Leave to File by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendants Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. Motions referred to Magistrate Judge Stephen L. Crocker. (Kanj, Riyaz) Modified on 8/12/2022. (lak) (Entered: 08/12/2022)
08/12/2022	<a href="#">354</a>	Notice of Supplemental Authority by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendants Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re <a href="#">353</a> Motion for Leave to File <i>Notice of Correction and Supplemental Authority</i> . (Kanj, Riyaz) (Entered: 08/12/2022)
08/16/2022	<a href="#">355</a>	Response to <a href="#">354</a> Notice of Supplemental Authority by Defendants Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P., Enbridge Energy, L.P., Enbridge Inc. . (Nemeroff, Justin) (Entered: 08/16/2022)
08/29/2022		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Conference on dispute during deposition held on 8/29/2022 [:06] (mfh) (Entered: 08/29/2022)
08/29/2022	356	<b>** TEXT ONLY ORDER **</b> On August 29, 2022, the court accepted an unscheduled telephone call from the parties, who were in deposition and needed the court to referee a dispute. After obtaining input from both sides, the court ruled that defendant could pursue its disputed line of questioning with plaintiff's expert, but that the expert was entitled to an opportunity to prepare, at least briefly, for this line of questioning. Toward that end, defendant will point out which portions of its experts' reports are relevant to this line of questioning so that plaintiff's expert can review them. The parties had no other matters to bring to the court's attention. Signed by Magistrate Judge Stephen L. Crocker on 8/29/2022. (voc) (Entered: 08/29/2022)



08/29/2022	<a href="#">357</a>	Unopposed Motion for Leave to File <i>Supplemental Brief</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P., Enbridge Energy, L.P., Enbridge Inc.. (Attachments: # <a href="#">1</a> Proposed Supplemental Brief, # <a href="#">2</a> Exhibit A - Statement by Minister Joly on Line 5 Transit Pipeline) (Nemeroff, Justin) (Entered: 08/29/2022)
08/30/2022	<a href="#">358</a>	Brief in Opposition by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">357</a> Motion for Leave to File, filed by Enbridge Energy Company, Inc., Enbridge Inc., Enbridge Energy, L.P., Enbridge Energy Partners, L.P. (Kanji, Riyaz) (Entered: 08/30/2022)
09/06/2022	<a href="#">359</a>	Joint Motion for Clarification re: 346 Order on Motion for Discovery, Order on Motion to Compel, by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) Modified on 9/7/2022. (lak) (Entered: 09/06/2022)
09/07/2022	<a href="#">360</a>	<b>ORDER</b> granting various motions for leave to file amicus briefs and supplemental authority; granting in part and denying in part both Motions for Partial Summary Judgment; resetting deadlines for FPTC submissions; and setting a video conference for Sept. 9, 2022, at 2:00 p.m. Signed by District Judge William M. Conley on 09/07/2022. (mfh) (Entered: 09/07/2022)
09/08/2022		Set Status Conference: Video Conference set for 9/9/2022 at 02:00 PM. (voc) (Entered: 09/08/2022)
09/08/2022	361	<b>** TEXT ONLY ORDER **</b> The court will hold a Status Conference on 9/9/2022 at 2:00 PM by Zoom video conference. The court will send invitations by email to counsel. All participants are reminded that video or audio recordings of the proceedings are strictly prohibited. A guide to participating in Zoom video hearings can be found <a href="#">here</a> . Signed by District Judge William M. Conley on 9/8/2022. (voc) (Entered: 09/08/2022)
09/09/2022		The Video Status Conference on 9/9/2022 is converted into a Telephone Status Conference at 2:00 PM before District Judge William M. Conley. Counsel for Plaintiff is responsible for setting up the call to chambers at (608) 264-5087. (arw) (Entered: 09/09/2022)
09/09/2022	362	<b>** TEXT ONLY ORDER **</b> As discussed at today's telephonic hearing, the parties are to submit cross-briefing on the question of whether the remaining issues in this case should be tried to a court or a jury. The parties' initial briefs are due on Tuesday, September 13, 2022, and their response briefs are due on Thursday, September 15, 2022. The parties' deadline for all final pretrial submissions is extended to Wednesday, September 21, 2022, with responses due September 28, 2022. Signed by District Judge William M. Conley on 9/9/2022. (voc) (Entered: 09/09/2022)
09/09/2022		Minute Entry for proceedings held before District Judge William M. Conley: Telephonic Status Conference held on 9/9/2022 [1:00] (Court Reporter PH.) (mfh) (Entered: 09/09/2022)
09/09/2022		Briefing set re: Parties cross-briefs on the question of whether the remaining issues in this case should be tried to a court or a jury. Initial Briefs due 9/13/2022. Responses briefs due 9/15/2022. Signed by District Judge William M. Conley on 9/9/2022. (voc) (Entered: 09/09/2022)

09/12/2022	<a href="#">363</a>	Transcript of Status Conference, held 9/9/2022 before Judge William M. Conley. Court Reporter: PH. Please review the court's policy regarding electronic transcripts of court proceedings: see <a href="#">Electronic Transcript Instructions</a> . (voc) (Entered: 09/12/2022)
09/13/2022	<a href="#">364</a>	Brief in Support of Issue Being Briefed: Question of whether the remaining issues in this case should be tried to a court or a jury. by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) Modified on 9/14/2022: Motion termed. Response date termed. (lak) (Entered: 09/13/2022)
09/13/2022	<a href="#">365</a>	Disregard. Modified on 9/14/2022. (lak) (Entered: 09/13/2022)
09/14/2022	<a href="#">366</a>	Joint Stipulation as to Determination by the Court of Profits-Based Restitution by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 09/14/2022)
09/14/2022	367	<b>** TEXT ONLY ORDER **</b> The parties may submit cross-briefs by September 28, 2022, explaining their respective positions on how the court should determine the amount of profits-based relief to which the Band is entitled, including proposed computation methods and any other positions or defenses each party intends to raise for the court. Signed by District Judge William M. Conley on 9/14/2022. (voc) (Entered: 09/14/2022)
09/15/2022	<a href="#">368</a>	Brief in Response to Defendants' Request for Jury Trial on Public Nuisance Claim re <a href="#">364</a> Brief in Support of Issue Being Briefed: Question of whether the remaining issues in this case should be tried to a court or a jury. by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. Response due 9/22/2022. (Kanji, Riyaz) (Entered: 09/15/2022)
09/16/2022	<a href="#">369</a>	<b>OPINION and ORDER</b> that all of the remaining claims and form of relief in this case shall be resolved by the court after a bench trial, which will commence on October 24, 2022. Signed by District Judge William M. Conley on 9/16/2022. (voc) (Entered: 09/16/2022)
09/16/2022		Set/Reset Hearings: Court Trial set for 10/24/2022 at 09:00 AM. (voc) (Entered: 09/16/2022)
09/19/2022	<a href="#">370</a>	Joint Motion for Extension of Time <i>to Submit Electronic Copies of Exhibits</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. Motions referred to Magistrate Judge Stephen L. Crocker. (Nemeroff, Justin) (Entered: 09/19/2022)
09/20/2022	371	<b>** TEXT ONLY ORDER **</b> <b>ORDER</b> granting <a href="#">370</a> Motion for Extension of Time. Signed by District Judge William M. Conley on 9/20/2022. (voc) (Entered: 09/20/2022)
09/20/2022	<a href="#">372</a>	Deposition of Robert Yaremko taken on August 15, 2022. ( <u>Sealed Document</u> ) (Nemeroff, Justin) (Entered: 09/20/2022)
09/20/2022	<a href="#">373</a>	Deposition of Dan Leistra-Jones taken on June 17, 2022. ( <u>Sealed Document</u> ) (Nemeroff, Justin) (Entered: 09/20/2022)
09/20/2022	<a href="#">374</a>	Deposition of Michael Wiggins, Jr., Volume II, taken on August 11, 2022. ( <u>Sealed Document</u> ) (Nemeroff, Justin) Modified on 9/21/2022 (voc). (Entered: 09/20/2022)

09/20/2022	<a href="#">375</a>	Deposition of Christopher Barber taken on May 5, 2022. ( <a href="#">Sealed Document</a> ) (Nemeroff, Justin) (Entered: 09/20/2022)
09/20/2022	<a href="#">376</a>	Deposition of Sarah Emerson taken on May 6, 2022. ( <a href="#">Sealed Document</a> ) (Nemeroff, Justin) (Entered: 09/20/2022)
09/20/2022	<a href="#">377</a>	Deposition of Graham Brisben taken on May 25, 2022. ( <a href="#">Sealed Document</a> ) (Nemeroff, Justin) (Entered: 09/20/2022)
09/20/2022	<a href="#">378</a>	Deposition of Randy Meyer taken on June 3, 2022. ( <a href="#">Sealed Document</a> ) (Nemeroff, Justin) (Entered: 09/20/2022)
09/20/2022	<a href="#">379</a>	Deposition of Jill Steiner taken on June 13, 2022. ( <a href="#">Sealed Document</a> ) (Nemeroff, Justin) (Entered: 09/20/2022)
09/20/2022	<a href="#">380</a>	Deposition of April Holdren taken on August 23, 2022. ( <a href="#">Sealed Document</a> ) (Nemeroff, Justin) (Entered: 09/20/2022)
09/20/2022	<a href="#">381</a>	Deposition of Paul Eberth taken on June 9, 2022. ( <a href="#">Sealed Document</a> ) (Nemeroff, Justin) (Entered: 09/20/2022)
09/20/2022	<a href="#">382</a>	Deposition of Michael Wiggins, Jr. taken on August 10, 2022. ( <a href="#">Sealed Document</a> ) (Nemeroff, Justin) (Entered: 09/20/2022)
09/20/2022	<a href="#">383</a>	Deposition of Gerald Davis taken on May 19, 2022. ( <a href="#">Sealed Document</a> ) (Nemeroff, Justin) (Entered: 09/20/2022)
09/20/2022	<a href="#">384</a>	Deposition of Stephen Lloyd taken on June 29, 2022. ( <a href="#">Sealed Document</a> ) (Nemeroff, Justin) (Entered: 09/20/2022)
09/20/2022	<a href="#">385</a>	Deposition of Trent Wetmore taken on June 29, 2022. ( <a href="#">Sealed Document</a> ) (Nemeroff, Justin) (Entered: 09/20/2022)
09/20/2022	<a href="#">386</a>	Expert Report of Matthew Horn - Rebuttal by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. ( <a href="#">Sealed Document</a> ) (Nemeroff, Justin) (Entered: 09/20/2022)
09/21/2022	<a href="#">387</a>	Expert Report of Joshua Anderson by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Attachments: # <a href="#">1</a> Exhibit 1 - CV, # <a href="#">2</a> Exhibit 2 - Report) (Nemeroff, Justin) (Entered: 09/21/2022)
09/21/2022	<a href="#">388</a>	Expert Report of Christopher Barber by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Attachments: # <a href="#">1</a> Exhibit 1 - CV, # <a href="#">2</a> Exhibit 2 - Report, # <a href="#">3</a> Exhibit 3 - Documents Relied On) (Nemeroff, Justin) (Entered: 09/21/2022)
09/21/2022	<a href="#">389</a>	Deposition of Joshua Anderson taken on June 7, 2022. (Nemeroff, Justin) (Entered: 09/21/2022)
09/21/2022	<a href="#">390</a>	Deposition of Dylan Jennings taken on May 23, 2022. (Nemeroff, Justin) (Entered: 09/21/2022)
09/21/2022	<a href="#">391</a>	Deposition of Rae Ann Maday taken on June 22, 2022. (Nemeroff, Justin) (Entered: 09/21/2022)

09/21/2022	<a href="#">392</a>	Deposition of Shea Schachameyer taken on October 14, 2021. (Nemeroff, Justin) (Entered: 09/21/2022)
09/21/2022	<a href="#">393</a>	Expert Report of Gerald Davis - Rebuttal by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 09/21/2022)
09/21/2022	<a href="#">394</a>	Expert Report of Neil Earnest - Rebuttal by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 09/21/2022)
09/21/2022	<a href="#">395</a>	Deposition of Laura Olive taken on May 2, 2022 <i>Corrected Transcript</i> . ( <u>Sealed Document</u> ) (Kanji, Riyaz) (Entered: 09/21/2022)
09/21/2022	<a href="#">396</a>	Expert Report of Dan Leistra-Jones - Amended Rebuttal by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 09/21/2022)
09/21/2022	<a href="#">397</a>	Motion and Brief to Exclude Expert Testimony of <i>Certain Plaintiff Liability Experts</i> ( <u>Sealed Document</u> ) by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. Brief in Opposition due 10/5/2022. Brief in Reply due 10/12/2022. (Attachments: # <a href="#">1</a> Exhibit A - Hotchkiss CV, # <a href="#">2</a> Exhibit B - ASME B31.4, # <a href="#">3</a> Exhibit C - Enbridge Monitoring Plan, # <a href="#">4</a> Exhibit D - ADIOS2 Presentation, # <a href="#">5</a> Exhibit E - ADIOS Article, # <a href="#">6</a> Exhibit F - Oil Spill Modeling Article, # <a href="#">7</a> Exhibit G - Lagrangian Particle Website, # <a href="#">8</a> Exhibit H - Buoyancy Educational Webpage, # <a href="#">9</a> Exhibit I - Introduction to Oil Spill Modeling) (Nemeroff, Justin) Modified on 9/22/2022 (voc). (Entered: 09/21/2022)
09/21/2022	<a href="#">398</a>	Motion and Brief to Exclude Expert Testimony of <i>Dan Leistra-Jones</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. Brief in Opposition due 10/5/2022. Brief in Reply due 10/12/2022. (Nemeroff, Justin) Modified on 9/22/2022 (voc). (Entered: 09/21/2022)
09/21/2022	<a href="#">399</a>	Motion and Brief to Exclude Expert Testimony of <i>Plaintiff Injunction-Related Experts</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. Brief in Opposition due 10/5/2022. Brief in Reply due 10/12/2022. (Attachments: # <a href="#">1</a> Exhibit A - PBF Logistics LP 10-K 2020, # <a href="#">2</a> Exhibit B - PBF Energy Inc. 10-K 2021, # <a href="#">3</a> Exhibit C - Plains Midstream Letter, # <a href="#">4</a> Exhibit D - Enbridge Objs. and Resps. to BRB 4th Set of ROGs) (Nemeroff, Justin) Modified on 9/22/2022 (voc). (Entered: 09/21/2022)
09/21/2022	<a href="#">400</a>	Motion in Limine ( <u>Sealed Document</u> ) by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. (Attachments: # <a href="#">1</a> Exhibit A - Holdren Deposition Ex. 20, # <a href="#">2</a> Exhibit B - Mediation Agreement, # <a href="#">3</a> Exhibit C - Enbridge Objs. and Resps. to BRB 1st RFP, # <a href="#">4</a> Exhibit D - Enbridge Monitoring Plan, # <a href="#">5</a> Exhibit E - Enbridge Objs. and Resps. to BRB 2nd RFP, # <a href="#">6</a> Exhibit F - Email between E. Leoso and W. Laduke) (Nemeroff, Justin) Modified on 9/22/2022 (voc). (Entered: 09/21/2022)

09/21/2022	<a href="#">401</a>	Motion in Limine <i>No. 1 - to exclude late-disclosed witnesses</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 09/21/2022)
09/21/2022	<a href="#">402</a>	Declaration of Philip H. Tinker filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">401</a> Motion in Limine ( <a href="#">Sealed Document</a> ) (Attachments: # <a href="#">1</a> Exhibit-A Defendants' Second Revised Disclosures 06/17/2022, # <a href="#">2</a> Exhibit-B Defendants' Third Revised Disclosures 08/24/2022, # <a href="#">3</a> Exhibit-C Defendants' Third Revised Disclosures 09/07/2022, # <a href="#">4</a> Exhibit-D Defendants' Third Revised Disclosures 09/09/2022, # <a href="#">5</a> Exhibit-E Plaintiff's Second Amended Disclosures 07/01/2022, # <a href="#">6</a> Exhibit-F Email from Band to Enbridge 04/22/2022, # <a href="#">7</a> Exhibit- G Email from Band to Enbridge 05/27/2022) (Kanji, Riyaz) Modified on 9/22/2022 (voc). (Entered: 09/21/2022)
09/21/2022	<a href="#">403</a>	Motion in Limine <i>No. 2 - 30(b)(6) Noncompliance</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 09/21/2022)
09/21/2022	<a href="#">404</a>	Expert Report of Scott A. Storlid - Rebuttal by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 09/21/2022)
09/21/2022	<a href="#">405</a>	Declaration of Joshua C. Handelsman filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">403</a> Motion in Limine ( <a href="#">Sealed Document</a> ) (Attachments: # <a href="#">1</a> Exhibit A- Bad River's 3rd Revised Notice of 30(b)(6) Deposition, # <a href="#">2</a> Exhibit B- ENB Objections to Band's 3rd 30(b)(6) Notice 05/23/2022, # <a href="#">3</a> Exhibit C- Email - Band to Enbridge 05/27/2022, # <a href="#">4</a> Exhibit D- Email - Band to Enbridge 06/10/2022, # <a href="#">5</a> Exhibit E- Band Replies to ENB Objections to BRB 4th 30(b)(6) Notice 06/12/2022, # <a href="#">6</a> Exhibit F- Email - Band to Enbridge 06/13/2022, # <a href="#">7</a> G- Exhibit Email - Band to Enbridge 06/14/2022, # <a href="#">8</a> Exhibit H- Email - Band to Enbridge 07/01/2022, # <a href="#">9</a> Exhibit I-Email - Enbridge to Band 07/20/2022, # <a href="#">10</a> Exhibit J- Email - Band to Enbridge 08/09/2022, # <a href="#">11</a> Exhibit K- Email - Band to Enbridge 08/12/2022, # <a href="#">12</a> Exhibit L- Email - Enbridge to Band 08/12/2022) (Kanji, Riyaz) Modified on 9/22/2022 (voc). (Entered: 09/21/2022)
09/21/2022	<a href="#">406</a>	Motion in Limine <i>No. 3 - to exclude Scott A. Storlid</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 09/21/2022)
09/21/2022	<a href="#">407</a>	Proposed Special Verdict - Liability and Damages by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 09/21/2022)
09/21/2022	<a href="#">408</a>	Plaintiff's Written Stipulations and Disputed Statements of Expert Background and Experience by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 09/21/2022)



09/21/2022	<a href="#">409</a>	Deposition of Jonathan Jones taken on August 29, 2022. ( <u>Sealed Document</u> ) (Kanji, Riyaz) (Entered: 09/21/2022)
09/21/2022	<a href="#">410</a>	Errata Sheet to <a href="#">409</a> Deposition ( <u>Sealed Document</u> ) (Kanji, Riyaz) (Entered: 09/21/2022)
09/21/2022	<a href="#">411</a>	Deposition of Thomas MacDonald taken on June 8, 2022. (Kanji, Riyaz) (Entered: 09/21/2022)
09/21/2022	<a href="#">412</a>	Errata Sheet to <a href="#">411</a> Deposition (Kanji, Riyaz) (Entered: 09/21/2022)
09/21/2022	<a href="#">413</a>	Deposition of Deb Tettah-Wayoe taken on June 30, 2022. ( <u>Sealed Document</u> ) (Kanji, Riyaz) (Entered: 09/21/2022)
09/21/2022	<a href="#">414</a>	Motion to Compel <i>Production of Document to Update Interrogatory Responses Nos. 14 and 18</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. Motions referred to Magistrate Judge Stephen L. Crocker. Response due 9/28/2022. (Kanji, Riyaz) (Entered: 09/21/2022)
09/21/2022	<a href="#">415</a>	Declaration of Philip H. Tinker filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">414</a> Motion to Compel, ( <u>Sealed Document</u> ) (Attachments: # <a href="#">1</a> Exhibit-A Plaintiff's 1st Set of Interrogatories 11/03/2021, # <a href="#">2</a> Exhibit-B Defendants' Objections to 1st Set of Interrogatories 12/10/2021, # <a href="#">3</a> Exhibit-C L5 Pro-forma Income Statement Memo 08/17/2021, # <a href="#">4</a> Exhibit D- Email from Band to Enbridge 08/18/2022, # <a href="#">5</a> Exhibit E- Email from Band to Enbridge 09/08/2022, # <a href="#">6</a> Exhibit F- Email from Enbridge to Band 09/09/2022) (Kanji, Riyaz) Modified on 9/22/2022 (voc). (Entered: 09/21/2022)
09/21/2022	<a href="#">416</a>	Expert Report of William J. Rennie by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation ( <u>Sealed Document</u> ) (Kanji, Riyaz) (Entered: 09/21/2022)
09/21/2022	<a href="#">417</a>	Motion in Limine <i>No. 4 - to exclude undisclosed expert testimony</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 09/21/2022)
09/21/2022	<a href="#">418</a>	Declaration of Philip H. Tinker filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">417</a> Motion in Limine ( <u>Sealed Document</u> ) (Attachments: # <a href="#">1</a> Exhibit A - Email from Enbridge to Band 07/20/2022, # <a href="#">2</a> Exhibit B - Access Permit and email from Tillison 08/08/2022) (Kanji, Riyaz) (Entered: 09/21/2022)
09/21/2022	<a href="#">419</a>	Declaration of Zakkary Zander filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">417</a> Motion in Limine (Kanji, Riyaz) (Entered: 09/21/2022)
09/21/2022	<a href="#">420</a>	Rule 26(a)(3) Pretrial Disclosures by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Attachments: # <a href="#">1</a> Exhibit A - Deposition Designations, # <a href="#">2</a> Exhibit B - Trial Exhibit List) (Nemeroff, Justin) (Entered: 09/21/2022)



09/21/2022	<a href="#">421</a>	Rule 26(a)(3) Pretrial Disclosures by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Attachments: # <a href="#">1</a> Exhibit A - List of Deposition Designations, # <a href="#">2</a> Exhibit B - Exhibit List) (Kanji, Riyaz) (Entered: 09/21/2022)
09/21/2022	<a href="#">422</a>	Proposed Special Verdict - Liability and Damages by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 09/21/2022)
09/22/2022	<a href="#">423</a>	Bad River Band of the Lake Superior Tribe of Chippewa Indians' Statement of Contested Issues of Law by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. Response due 9/29/2022. (Kanji, Riyaz) (Entered: 09/22/2022)
09/22/2022	<a href="#">424</a>	Motion in Limine No. 5 - <i>For Order Denying Enbridge's Claims of Privilege as to Clawed-back Documents (Sealed Document)</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 09/22/2022)
09/22/2022	<a href="#">425</a>	Declaration of Claire R. Newman filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">431</a> Motion in Limine, (Sealed Document) (Attachments: # <a href="#">1</a> Exhibit A - Confidential Mediation Agreement, # <a href="#">2</a> Exhibit B - Bad River letter terminating mediation, # <a href="#">3</a> Exhibit C - Email from Enbridge to Band 02/10/2022, # <a href="#">4</a> Exhibit D - Emails from Band to Enbridge, # <a href="#">5</a> Exhibit E - ENB00034269, # <a href="#">6</a> Exhibit F - Enbridge's Privilege Log, # <a href="#">7</a> Exhibit G - ENB000300694, # <a href="#">8</a> Exhibit H - ENB00300694 w/ redactions, # <a href="#">9</a> Exhibit I - BARR0107802, # <a href="#">10</a> Exhibit J - ENB00640204, # <a href="#">11</a> Exhibit K - ENB00359569, # <a href="#">12</a> Exhibit M - ENB00299172, # <a href="#">13</a> Exhibit N - Email from Enbridge to Band 06/29/2022, # <a href="#">14</a> Exhibit O - Email from Enbridge to Band 07/25/2021, # <a href="#">15</a> Exhibit P - Email from Enbridge to Band 07/23/2021, # <a href="#">16</a> Exhibit Q - ENB00410202, # <a href="#">17</a> Exhibit R - ENB00565794, # <a href="#">18</a> Exhibit S - David Verveda LinkedIn Profile, # <a href="#">19</a> Exhibit T - ENB00614611, # <a href="#">20</a> Exhibit U - Email from Enbridge to Band 05/05/2022, # <a href="#">21</a> Exhibit V - BARR0222432, # <a href="#">22</a> Exhibit W - BARR0222421) (Kanji, Riyaz) Modified on 9/26/2022 (jls). (Entered: 09/22/2022)
09/22/2022		Reset Briefing Deadlines as to <a href="#">397</a> Motion to Exclude Expert Testimony of <i>Certain Plaintiff Liability Experts (Sealed Document)</i> , <a href="#">398</a> Motion to Exclude Expert Testimony of <i>Dan Leistra-Jones</i> , <a href="#">399</a> Motion to Exclude Expert Testimony of <i>Plaintiff Injunction-Related Experts</i> , and <a href="#">423</a> Bad River Band of the Lake Superior Tribe of Chippewa Indians' Statement of Contested Issues of Law. <b>Brief in Opposition due 9/28/2022.</b> (jls) (Entered: 09/22/2022)

09/22/2022	<a href="#">426</a>	Motion for Extension of Time to Respond to Motions in Limine, Motions to Exclude, and Daubert Motions by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. Motions referred to Magistrate Judge Stephen L. Crocker. Response due 9/29/2022. (Kanji, Riyaz) (Entered: 09/22/2022)
09/23/2022	<a href="#">427</a>	Exhibit to <a href="#">425</a> Declaration of Claire R. Newman filed by Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation ( <u>Sealed Document</u> ) (Kanji, Riyaz) Modified on 9/23/2022 (voc). (Entered: 09/23/2022)
09/23/2022	<a href="#">428</a>	Notice of Appearance filed by Douglas Maynard Poland for Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendants Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Poland, Douglas) (Entered: 09/23/2022)
09/23/2022	<a href="#">429</a>	Notice of Appearance filed by David P Hollander for Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Counter Defendants Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Hollander, David) (Entered: 09/23/2022)
09/23/2022	430	<b>** TEXT ONLY ORDER **</b> The court GRANTS IN PART the motion of plaintiff/counter-defendant Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation and counter-defendant Naomi Tillison (collectively "Bad River") (dkt. #46) for an extension of time until Tuesday, October 4th, as well as DIRECTS the parties to work cooperatively and in good faith to streamline the submission of evidence at trial where possible. Regardless, defendants/counter-plaintiffs Enbridge Energy Company, Inc. and Enbridge Energy, L.P. (collectively "Enbridge") have until Wednesday, September 28, 2022, to reduce its actual trial exhibits below 1,000, though hopefully substantially more, and its "will call" witness list to 15 or less, or to explain why it cannot. In doing so, Enbridge may not add any new exhibits, except for summary exhibits offered in lieu of exhibits removed from their exhibit list consistent with Fed. R. Evid. 1006. Finally, both parties should assume that any expert allowed to testify will only be produced for cross-examination and re-direct at trial at the request of opposing counsel. Otherwise the court will treat their expert reports as direct testimony and considered part of the record.. Signed by District Judge William M. Conley on 09/23/2022. (mfh) (Entered: 09/23/2022)
09/23/2022	<a href="#">431</a>	Corrected Motion in Limine No. 5 - For Order Denying Enbridge's Claims of Privilege as to Clawed-back Documents ( <u>Sealed Document</u> ) by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 09/23/2022)
09/26/2022	<a href="#">432</a>	Motion for Leave to Add Colin McGuire to the Band's Rule 26(a)(3)(A)(ii) List of Testimony Expected to be Presented by Deposition by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. Response due 10/3/2022. (Kanji, Riyaz) (Entered: 09/26/2022)
09/26/2022	<a href="#">433</a>	Amended Rule 26(a)(3) Disclosures filed by Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Attachments: # <a href="#">1</a> Exhibit A - Amended Rule 26(a)(3)(A)(ii) List of Deposition Designations,

		# <a href="#">2</a> Exhibit B - Exhibit List) (Kanji, Riyaz) Modified on 9/27/2022. (lak) (Entered: 09/26/2022)
09/27/2022	<a href="#">434</a>	Expert Report of Laura Olive by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation ( <a href="#">Sealed Document</a> ) (Kanji, Riyaz) (Entered: 09/27/2022)
09/27/2022	<a href="#">435</a>	Expert Report of Sarah Emerson - Rebuttal by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 09/27/2022)
09/27/2022	<a href="#">436</a>	Deposition of Matthew Kindred taken on June 2, 2022. ( <a href="#">Sealed Document</a> ) (Kanji, Riyaz) (Entered: 09/27/2022)
09/27/2022	<a href="#">437</a>	Errata Sheet to <a href="#">436</a> Deposition (Kanji, Riyaz) (Entered: 09/27/2022)
09/27/2022	<a href="#">438</a>	Deposition of Sara Ploetz taken on May 13, 2022. (Kanji, Riyaz) (Entered: 09/27/2022)
09/28/2022	<a href="#">439</a>	Expert Report of Jill Steiner - Rebuttal Report by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation ( <a href="#">Sealed Document</a> ) (Attachments: # <a href="#">1</a> Exhibit Errata Sheet to Steiner's Rebuttal Report) (Kanji, Riyaz) (Entered: 09/28/2022)
09/28/2022	<a href="#">440</a>	Expert Report of Graham Brisben - Rebuttal Report by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation ( <a href="#">Sealed Document</a> ) (Kanji, Riyaz) (Entered: 09/28/2022)
09/28/2022	<a href="#">441</a>	Deposition of Neil Earnest taken on July 28, 2022. ( <a href="#">Sealed Document</a> ) (Attachments: # <a href="#">1</a> Exhibit Errata Sheet) (Kanji, Riyaz) (Entered: 09/28/2022)
09/28/2022	<a href="#">442</a>	Deposition of Deb Tetteh-Wayoe taken on August 16, 2022. ( <a href="#">Sealed Document</a> ) (Attachments: # <a href="#">1</a> Exhibit 1 - Deposition Errata Sheet) (Nemeroff, Justin) (Entered: 09/28/2022)
09/28/2022	<a href="#">443</a>	Deposition of Naomi Tillison taken on August 18, 2020. ( <a href="#">Sealed Document</a> ) (Attachments: # <a href="#">1</a> Exhibit 1 - Deposition Errata Sheet) (Nemeroff, Justin) (Entered: 09/28/2022)
09/28/2022	<a href="#">444</a>	Objection to Rule 26(a)(3) Designations by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 09/28/2022)
09/28/2022	<a href="#">445</a>	Objections to Trial Exhibits by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. (Nemeroff, Justin) (Entered: 09/28/2022)
09/28/2022	<a href="#">446</a>	Amended Witness List by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 09/28/2022)
09/28/2022	<a href="#">447</a>	Brief in Opposition by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. re: <a href="#">431</a> Motion in Limine, filed by Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, <a href="#">403</a> Motion in Limine filed by Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, <a href="#">414</a> Motion to Compel, filed by Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, <a href="#">417</a> Motion in Limine filed by Bad River Band of the Lake Superior Tribe of Chippewa Indians

		of the Bad River Reservation, <a href="#">401</a> Motion in Limine filed by Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, <a href="#">406</a> Motion in Limine filed by Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation ( <u>Sealed Document</u> ) (Attachments: # <a href="#">1</a> Exhibit A - 9.21.2022 Email between Handelsman and Feinberg, # <a href="#">2</a> Exhibit B - Enbridge's Third Revised Initial Disclosures, # <a href="#">3</a> Exhibit C - 9.21.2022 Email between Strohbehn and Handelsman, # <a href="#">4</a> Exhibit D - 9.16.2022 Email between Molina and Tillison, # <a href="#">5</a> Exhibit E - ENB00614610) (Nemeroff, Justin) (Entered: 09/28/2022)
09/28/2022	<a href="#">448</a>	Declaration of Julie Molina filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>in support of Omnibus Opposition Brief</i> re: <a href="#">417</a> Motion in Limine (Nemeroff, Justin) (Entered: 09/28/2022)
09/28/2022	<a href="#">449</a>	Trial Brief by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Attachments: # <a href="#">1</a> Exhibit A - 5.27.2022 Riprap Application Cover Letter, # <a href="#">2</a> Exhibit B - 9.21.2022 Email from Kloss to Tillison) (Nemeroff, Justin) (Entered: 09/28/2022)
09/28/2022	<a href="#">450</a>	Amended Exhibit List by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. (Nemeroff, Justin) (Entered: 09/28/2022)
09/28/2022	<a href="#">451</a>	Objection to Rule 26(a)(3) Designations by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 09/28/2022)
09/29/2022	<a href="#">452</a>	Trial Brief by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation ( <u>Sealed Document</u> ) (Kanji, Riyaz) (Entered: 09/29/2022)
09/29/2022	<a href="#">453</a>	Trial Brief <i>Corrected</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation ( <u>Sealed Document</u> ) (Kanji, Riyaz) (Entered: 09/29/2022)
09/30/2022	<a href="#">454</a>	Joint Motion for Extension of Time <i>to Exchange Summary Exhibits</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. Motions referred to Magistrate Judge Stephen L. Crocker. (Nemeroff, Justin) (Entered: 09/30/2022)
10/03/2022	455	<b>** TEXT ONLY ORDER **</b> <b>ORDER</b> granting <a href="#">454</a> Motion for Extension of Time to Exchange Summary Exhibits. Signed by District Judge William M. Conley on 10/3/2022. (voc) (Entered: 10/03/2022)
10/03/2022	<a href="#">456</a>	Exhibit to <a href="#">402</a> Declaration,, filed by Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation <i>Exhibit E - Plaintiff's Second Amended Disclosures 07/01/2022</i> ( <u>Sealed Document</u> ) (Kanji, Riyaz) (Entered: 10/03/2022)
10/03/2022	<a href="#">457</a>	Redaction to <a href="#">402</a> Declaration,, by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Attachments: # <a href="#">1</a> Exhibit A - Defendants' Second Revised Disclosures 06/17/2022, # <a href="#">2</a> Exhibit Defendants' Third Revised Disclosures 08/24/2022, # <a href="#">3</a> Exhibit C - Defendants' Third Revised Disclosures 09/07/2022, # <a href="#">4</a> Exhibit D - Defendants' Third Revised Disclosures 09/09/2022,

		# <a href="#">5</a> Exhibit E - Plaintiff's Second Amended Disclosures 07/01/2022, # <a href="#">6</a> Exhibit F - Email from Band to Enbridge 04/22/2022, # <a href="#">7</a> Exhibit G - Email from Band to Enbridge 05/27/2022) (Kanji, Riyaz) (Entered: 10/03/2022)
10/03/2022	<a href="#">458</a>	Redaction to <a href="#">413</a> Deposition by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 10/03/2022)
10/03/2022	<a href="#">459</a>	Redaction to <a href="#">415</a> Declaration,, by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Attachments: # <a href="#">1</a> Exhibit A - Plaintiff's 1st Set of Interrogatories 11/03/2021, # <a href="#">2</a> Exhibit B - Defendants' Objections to 1st Set of Interrogatories 12/10/2021, # <a href="#">3</a> Exhibit C - L5 Pro-Forma Income Statement Memo 08/17/2021, # <a href="#">4</a> Exhibit D - Email from Band to Enbridge 08/18/2022, # <a href="#">5</a> Exhibit E - Email from Band to Enbridge 09/08/2022, # <a href="#">6</a> Exhibit F - Email from Enbridge to Band 09/09/2022) (Kanji, Riyaz) (Entered: 10/03/2022)
10/03/2022	<a href="#">460</a>	Redaction to <a href="#">418</a> Declaration, by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Attachments: # <a href="#">1</a> Exhibit A - Email from Enbridge to Band 07/20/2022, # <a href="#">2</a> Exhibit B - Access Permit and email from Tillison 08/08/2022) (Kanji, Riyaz) (Entered: 10/03/2022)
10/03/2022	<a href="#">461</a>	Brief in Opposition by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">398</a> Motion to Exclude Expert Testimony, filed by Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Kanji, Riyaz) (Entered: 10/03/2022)
10/03/2022	<a href="#">462</a>	Expert Report of William J. Rennie by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 10/03/2022)
10/03/2022	<a href="#">463</a>	Expert Report of WWE - Expert Report Appendix D by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 10/03/2022)
10/03/2022	<a href="#">464</a>	Expert Report of Matthew Horn - Rebuttal Report Appendix A Attachment A by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 10/03/2022)
10/03/2022	<a href="#">465</a>	Redaction to <a href="#">313</a> Deposition of <i>Mark Weesner taken on May 16, 2022</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/03/2022)
10/03/2022	<a href="#">466</a>	Redaction to <a href="#">372</a> Deposition of <i>Robert Yaremko taken on August 15, 2022</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/03/2022)
10/03/2022	<a href="#">467</a>	Redaction to <a href="#">373</a> Deposition of <i>Dan Leistra-Jones taken on June 17, 2022</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/03/2022)



10/03/2022	<a href="#">468</a>	Redaction to <a href="#">375</a> Deposition of <i>Christoper Barber taken on May 5, 2022</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/03/2022)
10/03/2022	<a href="#">469</a>	Redaction to <a href="#">376</a> Deposition of <i>Sarah Emerson taken on May 6, 2022</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/03/2022)
10/03/2022	<a href="#">470</a>	Redaction to <a href="#">377</a> Deposition of <i>Graham Brisben taken on May 25, 2022</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/03/2022)
10/03/2022	<a href="#">471</a>	Redaction to <a href="#">378</a> Deposition of <i>Randy Meyer taken on June 3, 2022</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/03/2022)
10/03/2022	<a href="#">472</a>	Redaction to <a href="#">379</a> Deposition of <i>Jill Steiner taken on June 13, 2022</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/03/2022)
10/03/2022	<a href="#">473</a>	Redaction to <a href="#">380</a> Deposition of <i>April Holdren taken on August 23, 2022</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/03/2022)
10/03/2022	<a href="#">474</a>	Redaction to <a href="#">381</a> Deposition of <i>Paul Eberth taken on June 9, 2022</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/03/2022)
10/03/2022	<a href="#">475</a>	Redaction to <a href="#">383</a> Deposition of <i>Gerald Davis taken on May 19, 2022</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/03/2022)
10/03/2022	<a href="#">476</a>	Redaction to <a href="#">384</a> Deposition of <i>Stephen Lloyd taken on June 29, 2022</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/03/2022)
10/03/2022	<a href="#">477</a>	Redaction to <a href="#">385</a> Deposition of <i>Trent Wetmore taken on June 29, 2022</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/03/2022)
10/03/2022	<a href="#">478</a>	Redaction to <a href="#">386</a> Expert Report of <i>Matthew Horn - Rebuttal</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/03/2022)
10/03/2022	<a href="#">479</a>	Redaction to <a href="#">397</a> Motion to Exclude Expert Testimony of <i>Certain Plaintiff Liability Experts (Sealed Document)</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Attachments: # <a href="#">1</a> Exhibit A - Hotchkiss CV, # <a href="#">2</a> Exhibit B - ASME B31.4, # <a href="#">3</a> Exhibit C - Enbridge Monitoring Plan, # <a href="#">4</a> Exhibit D - ADIOS2 Presentation, # <a href="#">5</a> Exhibit E - ADIOS Article, # <a href="#">6</a> Exhibit F - Oil Spill Modeling Article, # <a href="#">7</a> Exhibit G - Lagrangian Particle Website, # <a href="#">8</a> Exhibit H - Buoyancy Educational Webpage,



		# <a href="#">9</a> Exhibit I - Introduction to Oil Spill Modeling) (Nemeroff, Justin) (Entered: 10/03/2022)
10/03/2022	<a href="#">480</a>	Redaction to <a href="#">400</a> Motion in Limine ( <u>Sealed Document</u> ) by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Attachments: # <a href="#">1</a> Exhibit A - Holdren Deposition Ex. 20, # <a href="#">2</a> Exhibit B - Mediation Agreement, # <a href="#">3</a> Exhibit C - Enbridge Objs. and Resps. to BRB 1st RFP, # <a href="#">4</a> Exhibit D - Enbridge Monitoring Plan, # <a href="#">5</a> Exhibit E - Enbridge Objs. and Resps. to BRB 2nd RFP, # <a href="#">6</a> Exhibit F - Email between E. Leoso and W. Laduke) (Nemeroff, Justin) (Entered: 10/03/2022)
10/04/2022	<a href="#">481</a>	Deposition of Deb Tettah-Wayoe taken on August 16, 2022. ( <u>Sealed Document</u> ) (Attachments: # <a href="#">1</a> Exhibit Errata Sheet) (Kanji, Riyaz) (Entered: 10/04/2022)
10/04/2022	<a href="#">482</a>	Brief in Opposition by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">399</a> Motion to Exclude Expert Testimony, filed by Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Kanji, Riyaz) (Entered: 10/04/2022)
10/04/2022	<a href="#">483</a>	Expert Report of Christopher Barber - Rebuttal Report by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 10/04/2022)
10/04/2022	<a href="#">484</a>	Expert Witness Disclosures by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Attachments: # <a href="#">1</a> Exhibit Expert Disclosure of Rollin Hotchkiss 01/31/2022, # <a href="#">2</a> Exhibit Expert Disclosure of Mark Weesner 01/31/2022, # <a href="#">3</a> Exhibit Expert Disclosure of Gary Witt 01/31/2022, # <a href="#">4</a> Appendix 01/31/2022 WWE Report Appendix A, # <a href="#">5</a> Appendix 01/31/2022 WWE Report Appendix B, # <a href="#">6</a> Appendix 01/31/2022 WWE Report Appendix C, # <a href="#">7</a> Appendix 01/31/2022 WWE Report Appendix D, # <a href="#">8</a> Appendix 01/31/2022 WWE Report Appendix E, # <a href="#">9</a> Appendix 01/31/2022 WWE Report Appendix F, # <a href="#">10</a> Appendix 01/31/2022 WWE Report Appendix G, # <a href="#">11</a> Appendix 01/31/2022 WWE Report Appendix H, # <a href="#">12</a> Appendix 01/31/2022 WWE Report Appendix I, # <a href="#">13</a> Appendix 01/31/2022 WWE Report Appendix J, # <a href="#">14</a> Appendix 01/31/2022 WWE Report Appendix K, # <a href="#">15</a> Appendix 01/31/2022 WWE Report Appendix L, # <a href="#">16</a> Appendix 01/31/2022 WWE Report Appendix M, # <a href="#">17</a> Appendix 01/31/2022 WWE Report Appendix N, # <a href="#">18</a> Appendix 01/31/2022 WWE Report Appendix O, # <a href="#">19</a> Appendix 01/31/2022 WWE Report Appendix P) (Kanji, Riyaz) (Entered: 10/04/2022)
10/04/2022	<a href="#">485</a>	Brief in Opposition by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">397</a> Motion to Exclude Expert Testimony,, filed by Enbridge Energy Company, Inc., Enbridge Energy, L.P. ( <u>Sealed Document</u> ) (Kanji, Riyaz) (Entered: 10/04/2022)

10/04/2022	<a href="#">486</a>	Declaration of Philip H. Tinker filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation <i>Response</i> re: <a href="#">397</a> Motion to Exclude Expert Testimony,, (Attachments: # <a href="#">1</a> Exhibit A - RE Bad River's April 8, 2022 Rebuttal Expert Disclosures, # <a href="#">2</a> Exhibit B - Merv F. Fingas, Modeling Oil & Petroleum Evaporation, # <a href="#">3</a> Exhibit C - Chi Min Chiu et al., Forecasting of Oil-Spill Trajectories by Using SCHISM and X-Band Radar, # <a href="#">4</a> Exhibit D - David J. Schwab, Statistical Analysis of Straits of Mackinac: Line 5 Worst Case Spill Scenario) (Kanji, Riyaz) (Entered: 10/04/2022)
10/04/2022	<a href="#">487</a>	Expert Report of Joshua Anderson by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Attachments: # <a href="#">1</a> Exhibit A - Anderson CV, # <a href="#">2</a> Exhibit B - Anderson Report, # <a href="#">3</a> Exhibit C - Anderson Box Exhibit) (Kanji, Riyaz) (Entered: 10/04/2022)
10/04/2022	<a href="#">488</a>	Objections to Trial Exhibits by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 10/04/2022)
10/04/2022	<a href="#">489</a>	Brief in Opposition by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">400</a> Motion in Limine, filed by Enbridge Energy Company, Inc., Enbridge Energy, L.P. ( <u>Sealed Document</u> ) (Kanji, Riyaz) (Entered: 10/04/2022)
10/04/2022	<a href="#">490</a>	Declaration of Philip H. Tinker filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation <i>Response</i> re: <a href="#">400</a> Motion in Limine, ( <u>Sealed Document</u> ) (Attachments: # <a href="#">1</a> Exhibit A - Email from Enbridge to Band, # <a href="#">2</a> Exhibit B - Subpoena for April Holdren, # <a href="#">3</a> Exhibit C - Subpoena for Paul Eberth, # <a href="#">4</a> Exhibit D - Corporate Entity Notification of Service, # <a href="#">5</a> Exhibit E - Corporate Entity Notification of Service, # <a href="#">6</a> Exhibit F - 2020.03.26 BRB 2nd RFP to ENB, # <a href="#">7</a> Exhibit G - ENB00435294) (Kanji, Riyaz) (Entered: 10/05/2022)
10/05/2022	<a href="#">491</a>	Deposition of Trent Wetmore taken on June 28, 2022. ( <u>Sealed Document</u> ) (Attachments: # <a href="#">1</a> Exhibit Errata Sheet) (Kanji, Riyaz) (Entered: 10/05/2022)
10/05/2022	<a href="#">492</a>	Expert Report of Peter Barlow by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) Modified on 10/6/2022: E-mail sent to counsel. (lak) (Entered: 10/05/2022)
10/05/2022	<a href="#">493</a>	Expert Report of Corbett Grainger by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. ( <u>Sealed Document</u> ) (Nemeroff, Justin) (Entered: 10/05/2022)
10/05/2022	<a href="#">494</a>	Expert Report of Dagmar Etkin by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. ( <u>Sealed Document</u> ) (Nemeroff, Justin) (Entered: 10/05/2022)
10/05/2022	<a href="#">495</a>	Expert Report of Neil Earnest by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. ( <u>Sealed Document</u> ) (Nemeroff, Justin) (Entered: 10/05/2022)
10/05/2022	<a href="#">496</a>	Expert Report of DeWitt Burdeaux by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. ( <u>Sealed Document</u> ) (Nemeroff, Justin) (Entered: 10/05/2022)

10/05/2022	<a href="#">497</a>	Expert Report of Corbett Grainger - Rebuttal by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/05/2022)
10/05/2022	<a href="#">498</a>	Expert Report of Dagmar Etkin - Rebuttal by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. ( <u><a href="#">Sealed Document</a></u> ) (Nemeroff, Justin) (Entered: 10/05/2022)
10/05/2022	<a href="#">499</a>	Expert Report of DeWitt Burdeaux - Rebuttal by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/05/2022)
10/05/2022	<a href="#">500</a>	Expert Report of William Rennie - Rebuttal by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/05/2022)
10/05/2022	<a href="#">501</a>	Expert Report of Tom MacDonald and David Koltz - Rebuttal by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/05/2022)
10/05/2022	<a href="#">502</a>	Expert Report of Ed Steigerwaldt - Parcel WI-112A by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/05/2022)
10/05/2022	<a href="#">503</a>	Expert Report of Ed Steigerwaldt - Parcel WI-113 by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/05/2022)
10/05/2022	<a href="#">504</a>	Expert Report of Ed Steigerwaldt - Parcel WI-125 by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/05/2022)
10/05/2022	<a href="#">505</a>	Expert Report of Ed Steigerwaldt - Parcel WI-134 by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/05/2022)
10/05/2022	<a href="#">506</a>	Expert Report of Ed Steigerwaldt - Parcel WI-165 by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/05/2022)
10/05/2022	<a href="#">507</a>	Expert Report of Ed Steigerwaldt - Parcel WI-167 and WI-168 by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/05/2022)
10/05/2022	<a href="#">508</a>	Expert Report of Ed Steigerwaldt - Parcel WI-175 by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/05/2022)
10/05/2022	<a href="#">509</a>	Expert Report of Ed Steigerwaldt - Parcel WI-185A by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/05/2022)
10/05/2022	<a href="#">510</a>	Expert Report of Ed Steigerwaldt - Parcel WI-186A by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/05/2022)
10/05/2022	<a href="#">511</a>	Expert Report of Ed Steigerwaldt - Parcel WI-192 by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/05/2022)
10/05/2022	<a href="#">512</a>	Expert Report of Ed Steigerwaldt - Parcel WI-200 by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/05/2022)
10/05/2022	<a href="#">513</a>	Expert Report of Ed Steigerwaldt - Parcel WI-212 by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/05/2022)

10/06/2022	<a href="#">514</a>	Expert Report of Neil Earnest - Supplemental by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/06/2022)
10/06/2022	<a href="#">515</a>	Expert Report of William Rennie - Supplemental by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/06/2022)
10/06/2022	<a href="#">516</a>	Expert Report of Dagmar Etkin - Errata by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. ( <a href="#">Sealed Document</a> ) (Nemeroff, Justin) (Entered: 10/06/2022)
10/06/2022	<a href="#">517</a>	Expert Report of William Rennie - Errata by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/06/2022)
10/06/2022	<a href="#">518</a>	Expert Report of Corbett Grainger - Errata by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. ( <a href="#">Sealed Document</a> ) (Nemeroff, Justin) (Entered: 10/06/2022)
10/06/2022	<a href="#">519</a>	Expert Report of Neil Earnest - Errata by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. ( <a href="#">Sealed Document</a> ) (Nemeroff, Justin) (Entered: 10/06/2022)
10/07/2022	<a href="#">520</a>	Narrative Deposition Summary of Robert Yaremko ( <a href="#">Sealed Document</a> ) (Kanji, Riyaz) (Entered: 10/07/2022)
10/07/2022	<a href="#">521</a>	<b>ORDER</b> granting in part and denying in part <a href="#">400</a> Motion in Limine, <a href="#">401</a> Motion in Limine, <a href="#">403</a> Motion in Limine, <a href="#">417</a> Motion in Limine, and <a href="#">432</a> Motion for Leave to Add Colin McGuire to the Band's Rule 26(a)(3)(A)(ii) List of Testimony Expected to be Presented by Deposition; reserving on <a href="#">397</a> Motion to Exclude Expert Testimony of Certain Plaintiff Liability Experts, <a href="#">398</a> Motion to Exclude Expert Testimony of Dan Leistra-Jones, <a href="#">399</a> Motion to Exclude Expert Testimony of Plaintiff Injunction-Related Experts, and <a href="#">406</a> Motion in Limine. Signed by District Judge William M. Conley on 10/7/2022. (arw) (Entered: 10/07/2022)
10/07/2022	<a href="#">522</a>	Joint Motion for Extension of Time <i>for Pretrial Submission</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. Motions referred to Magistrate Judge Stephen L. Crocker. (Nemeroff, Justin) (Entered: 10/07/2022)
10/07/2022	<a href="#">523</a>	Final Deposition Designations <i>and Plaintiff Objections and Counter-Designations</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. (Nemeroff, Justin) (Entered: 10/07/2022)
10/08/2022	<a href="#">524</a>	Exhibit List <i>with Defendants' Objections</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 10/08/2022)
10/08/2022	<a href="#">525</a>	Counter Objection to Rule 26(a)(3) Designations by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 10/08/2022)
10/08/2022	<a href="#">526</a>	Bad River Band of the Lake Superior Tribe of Chippewa Indians' Pretrial Submission by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. Response due 10/17/2022. (Kanji, Riyaz) Modified on 10/11/2022 (voc/mh). (Entered: 10/08/2022)
10/08/2022	<a href="#">527</a>	Deposition of John McKay taken on May 19, 2022. (Attachments: # <a href="#">1</a> Exhibit Errata Sheet) (Kanji, Riyaz) (Entered: 10/08/2022)

10/08/2022	<a href="#">528</a>	Deposition of Keith Parker taken on May 25, 2022. ( <a href="#">Sealed Document</a> ) (Attachments: # <a href="#">1</a> Exhibit Errata Sheet) (Kanji, Riyaz) (Entered: 10/08/2022)
10/08/2022	<a href="#">529</a>	Deposition of Matthew Kindred taken on June 2, 2022 <i>with Highlighted Designations/Objections</i> . ( <a href="#">Sealed Document</a> ) (Kanji, Riyaz) (Entered: 10/08/2022)
10/08/2022	<a href="#">530</a>	Deposition of Stephen Lloyd taken on June 29, 2022 <i>with Highlighted Designations/Objections</i> . ( <a href="#">Sealed Document</a> ) (Kanji, Riyaz) (Entered: 10/08/2022)
10/08/2022	<a href="#">531</a>	Deposition of John McKay taken on May 19, 2022 <i>with Highlighted Designations/Objections</i> . (Kanji, Riyaz) (Entered: 10/08/2022)
10/08/2022	<a href="#">532</a>	Deposition of Deb Tettah-Wayoe taken on June 30, 2022 <i>with Highlighted Designations/Objections</i> . ( <a href="#">Sealed Document</a> ) (Kanji, Riyaz) (Entered: 10/08/2022)
10/08/2022	<a href="#">533</a>	Deposition of Deb Tettah-Wayoe taken on August 16, 2022 <i>with Highlighted Designations/Objections</i> . ( <a href="#">Sealed Document</a> ) (Kanji, Riyaz) (Entered: 10/08/2022)
10/08/2022	<a href="#">534</a>	Declaration of Technical Failure, Deposition of Deb Tettah-Wayoe taken on August 16, 2022 <i>with revised Highlighted Designations/Objections</i> . ( <a href="#">Sealed Document</a> ) (Kanji, Riyaz) (Entered: 10/08/2022)
10/08/2022	<a href="#">535</a>	Deposition of Trent Wetmore taken on June 28, 2022 <i>with Highlighted Designations/Objections</i> . ( <a href="#">Sealed Document</a> ) (Kanji, Riyaz) (Entered: 10/08/2022)
10/08/2022	<a href="#">536</a>	Deposition of Trent Wetmore taken on June 29, 2022 <i>with Highlighted Designations/Objections</i> . ( <a href="#">Sealed Document</a> ) (Kanji, Riyaz) (Entered: 10/08/2022)
10/08/2022	<a href="#">537</a>	Deposition of Robert Yaremko taken on August 15, 2022 <i>with Highlighted Designations/Objections</i> . ( <a href="#">Sealed Document</a> ) (Kanji, Riyaz) (Entered: 10/08/2022)
10/08/2022	<a href="#">538</a>	Deposition of Paul Eberth taken on June 9, 2022 <i>with Highlighted Designations/Objections</i> . ( <a href="#">Sealed Document</a> ) (Kanji, Riyaz) (Entered: 10/08/2022)
10/08/2022	<a href="#">539</a>	Deposition of April Holdren taken on August 23, 2022 <i>with Highlighted Designations/Objections</i> . ( <a href="#">Sealed Document</a> ) (Kanji, Riyaz) (Entered: 10/08/2022)
10/08/2022	<a href="#">540</a>	Deposition of Peter Song taken on May 25, 2022 <i>with Highlighted Designations/Objections</i> . ( <a href="#">Sealed Document</a> ) (Kanji, Riyaz) (Entered: 10/08/2022)
10/08/2022	<a href="#">541</a>	Deposition of Keith Parker taken on May 25, 2022 <i>with Highlighted Designations/Objections</i> . ( <a href="#">Sealed Document</a> ) (Kanji, Riyaz) (Entered: 10/08/2022)
10/10/2022	<a href="#">542</a>	Redaction to <a href="#">520</a> Narrative Deposition Summary of <i>Robert Yaremko</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 10/10/2022)
10/10/2022	<a href="#">543</a>	Deposition of Guy E. Krepps taken on June 2, 2022. (Attachments: # <a href="#">1</a> Exhibit Errata Sheet) (Kanji, Riyaz) (Entered: 10/10/2022)
10/10/2022	<a href="#">544</a>	Deposition of William J. Rennie taken on May 23, 2022. ( <a href="#">Sealed Document</a> ) (Attachments: # <a href="#">1</a> Exhibit Errata Sheet) (Kanji, Riyaz) (Entered: 10/10/2022)
10/10/2022	<a href="#">545</a>	Deposition of Peter Barlow taken on June 9, 2022. (Attachments: # <a href="#">1</a> Exhibit Errata Sheet) (Kanji, Riyaz) (Entered: 10/10/2022)



10/11/2022	546	<b>** TEXT ONLY ORDER **</b> The parties' joint motion for extension of time to submit proposed findings of fact (dkt. # <a href="#">522</a> ) is DENIED as unnecessary. The court will not require the parties to submit proposed findings of fact before trial. Signed by District Judge William M. Conley on 10/11/2022. (voc) (Entered: 10/11/2022)
10/11/2022	<a href="#">547</a>	Deposition of Colin McGuire taken on June 6, 2022. ( <a href="#">Sealed Document</a> ) (Attachments: # <a href="#">1</a> Exhibit Errata Sheet) (Kanji, Riyaz) (Entered: 10/11/2022)
10/11/2022	<a href="#">548</a>	Deposition of Corbett Grainger taken on July 7, 2022. ( <a href="#">Sealed Document</a> ) (Attachments: # <a href="#">1</a> Exhibit Errata Sheet) (Kanji, Riyaz) Modified on 10/11/2022 (acd). (Entered: 10/11/2022)
10/11/2022	<a href="#">549</a>	Deposition of Matthew Horn taken on May 24, 2022. ( <a href="#">Sealed Document</a> ) (Kanji, Riyaz) (Entered: 10/11/2022)
10/11/2022	<a href="#">550</a>	Minute Entry for proceedings held before District Judge William M. Conley: Final Pretrial Conference held on 10/11/2022. [01:16]  <b>Attention:</b> In the event of a settlement of this matter over the weekend, counsel are advised to contact the Clerk of Court at <a href="mailto:clerkofcourt@wiwd.uscourts.gov">clerkofcourt@wiwd.uscourts.gov</a> (Court Reporter PCH.) (jls) (Entered: 10/11/2022)
10/11/2022	551	<b>** TEXT ONLY ORDER **</b> The court will hold a Final Pretrial Conference on 10/18/2022 at 2:30 pm by Zoom video conference. The court will send invitations by email to counsel. All participants are reminded that video or audio recordings of the proceedings are strictly prohibited. A guide to participating in Zoom video hearings can be found <a href="#">here</a> . Signed by District Judge William M. Conley on 10/11/2022. (jls) (Entered: 10/11/2022)
10/11/2022	<a href="#">552</a>	Redaction to <a href="#">447</a> Brief in Opposition,,,, re: <i>Motions in Limine</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Attachments: # <a href="#">1</a> Exhibit A - 9.21.2022 Email between Handelsman and Feinberg, # <a href="#">2</a> Exhibit B - Enbridge's Third Revised Initial Disclosures, # <a href="#">3</a> Exhibit C - 9.21.2022 Email between Strohbehn and Handelsman, # <a href="#">4</a> Exhibit D - 9.16.2022 Email between Molina and Tillison, # <a href="#">5</a> Exhibit E - ENB00614610) (Nemeroff, Justin) (Entered: 10/11/2022)
10/11/2022	<a href="#">553</a>	Redaction to <a href="#">442</a> Deposition of <i>Deb Tetteh-Wayoe taken on August 16, 2022</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/11/2022)
10/11/2022	<a href="#">554</a>	Redaction to <a href="#">443</a> Deposition of <i>Naomi Tillison taken on August 18, 2020</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/11/2022)
10/13/2022	<a href="#">555</a>	Amended Expert Report of Laura Olive by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. ( <a href="#">Sealed Document</a> ) (Nemeroff, Justin) (Entered: 10/13/2022)



10/13/2022	<a href="#">556</a>	Redaction to <a href="#">453</a> Trial Brief by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 10/13/2022)
10/14/2022	<a href="#">557</a>	<b>ORDER</b> granting in part and denying in part <a href="#">424</a> Motion in Limine No. 5 - For Order Denying Enbridge's Claims of Privilege as to Clawed-back Documents; granting in part and denying in part <a href="#">431</a> Corrected Motion in Limine No. 5 - For Order Denying Enbridge's Claims of Privilege as to Clawed-back Documents; denying <a href="#">414</a> Motion to Compel Production of Document to Update Interrogatory Responses Nos. 14 and 18; and denying <a href="#">400</a> Motion in Limine No. 3 to Exclude the Shutdown and Purge Plan and Oil Spill Modeling. Signed by District Judge William M. Conley on 10/14/2022. (jls) (Entered: 10/14/2022)
10/16/2022	<a href="#">558</a>	Deposition of Joseph Daniel Rose taken on June 22, 2022. (Attachments: # <a href="#">1</a> Exhibit Errata Sheet) (Kanji, Riyaz) (Entered: 10/16/2022)
10/16/2022	<a href="#">559</a>	Deposition of Benjamin Lee taken on April 25, 2022. (Attachments: # <a href="#">1</a> Exhibit Errata Sheet) (Kanji, Riyaz) (Entered: 10/16/2022)
10/17/2022	<a href="#">560</a>	Trial Brief <i>re: Laches, Estoppel and Statute of Limitations (Supplemental)</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation ( <u>Sealed Document</u> ) (Kanji, Riyaz) (Entered: 10/17/2022)
10/18/2022	561	<b>** TEXT ONLY ORDER **</b> <b>ORDER</b> As discussed at this afternoon's video conference, the parties' <i>Daubert</i> motions are resolved as follows: Enbridge's motion to exclude the Band's liability experts (dkt. # <a href="#">397</a> ) is DENIED; Enbridge's motion to exclude the testimony of Dan Leistra-Jones (dkt. # <a href="#">398</a> ) is GRANTED as to Leistra-Jones' opinion that the Band is entitled to 100% of Enbridge's profits for the relevant time period, DENIED as to Leistra-Jones' opinions about whether a lost profits calculation should include or exclude after-tax net income and depreciation, and RESERVED as to Leistra-Jones' opinions about whether a lost profits calculation should include savings that Enbridge received as a result of delaying the reroute; Enbridge's motion to exclude the Band's injunction-related experts (dkt. # <a href="#">399</a> ) is DENIED; and the Band's motion to exclude the opinions of Scott Storlid (dkt. # <a href="#">406</a> ) is GRANTED as to Storlid's opinions about the Band's credibility and motives, but DENIED as to Storlid's opinions about the reasonableness of Enbridge's remediation proposals and how such proposals are typically treated by reviewing agencies. Signed by District Judge William M. Conley on 10/18/2022. (voc) (Entered: 10/18/2022)
10/18/2022	<a href="#">562</a>	Minute Entry for proceedings held before District Judge William M. Conley: Final Pretrial Conference held on 10/18/2022. [02:14]  <b>Attention:</b> In the event of a settlement of this matter over the weekend, counsel are advised to contact the Clerk of Court at <a href="mailto:clerkofcourt@wiwd.uscourts.gov">clerkofcourt@wiwd.uscourts.gov</a> (Court Reporter JLD.) (jls) (Entered: 10/18/2022)
10/18/2022		Set Deadlines/Hearings: Final Pretrial Conference set for 10/20/2022 at 09:30 AM by Zoom video conference. (jls) (Entered: 10/18/2022)
10/20/2022	<a href="#">563</a>	Amended Rule 26(a)(3) Pretrial Disclosures by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 10/20/2022)

10/20/2022	<a href="#">564</a>	Deposition of Sara Ploetz taken on May 13, 2022 <i>with Highlighted Designations/Objections</i> . (Kanji, Riyaz) (Entered: 10/20/2022)
10/20/2022	<a href="#">565</a>	Deposition of Ali Hendi taken on June 1, 2022 <i>with Highlighted Designations/Objections</i> . (Attachments: # <a href="#">1</a> Exhibit Errata Sheet) (Kanji, Riyaz) (Entered: 10/20/2022)
10/20/2022	<a href="#">566</a>	Minute Entry for proceedings held before District Judge William M. Conley: Final Pretrial Conference held on 10/20/2022. [02:10]  <b>Attention:</b> In the event of a settlement of this matter over the weekend, counsel are advised to contact the Clerk of Court at <a href="mailto:clerkofcourt@wiwd.uscourts.gov">clerkofcourt@wiwd.uscourts.gov</a> (Court Reporter PCH.) (jls) (Entered: 10/20/2022)
10/20/2022		Set Deadlines/Hearings: Final Pretrial Conference set for 10/21/2022 at 10:00 AM by Zoom video conference. (jls) (Entered: 10/20/2022)
10/20/2022	<a href="#">567</a>	Transcript of Videoconferenced Final Pretrial Conference, held 10/18/2022 before Judge William M. Conley. Court Reporter: JLD. Please review the court's policy regarding electronic transcripts of court proceedings: see <a href="#">Electronic Transcript Instructions</a> . (jls) (Entered: 10/20/2022)
10/21/2022	<a href="#">568</a>	Errata Sheet to <a href="#">439</a> Expert Report, filed by Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 10/21/2022)
10/21/2022	<a href="#">569</a>	Minute Entry for proceedings held before District Judge William M. Conley: Final Hearing held on 10/21/2022. [01:30] (Court Reporter PCH.) (jls) (Entered: 10/21/2022)
10/21/2022		Set/Reset Trial Date: Court Trial set for 10/24/2022 through 11/2/2022 at 08:30 AM. (jls) Modified on 10/24/2022 (jls). (Entered: 10/21/2022)
10/23/2022	<a href="#">570</a>	Transcript of Final Pretrial Conference, held 10/20/2022 before Judge William M. Conley. Court Reporter: PH. Please review the court's policy regarding electronic transcripts of court proceedings: see <a href="#">Electronic Transcript Instructions</a> . (voc) (Entered: 10/23/2022)
10/23/2022	<a href="#">571</a>	Transcript of Final Pretrial Conference, held 10/21/2022 before Judge William M. Conley. Court Reporter: PH. Please review the court's policy regarding electronic transcripts of court proceedings: see <a href="#">Electronic Transcript Instructions</a> . (voc) (Entered: 10/23/2022)
10/23/2022	<a href="#">572</a>	Expert Report of Matthew Horn - Appendices to Rebuttal Report by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Sealed Document) (Kanji, Riyaz) (Entered: 10/23/2022)
10/23/2022	<a href="#">573</a>	Expert Report of Dan Leistra-Jones - Rebuttal Report Updated 10/23/2022 by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 10/23/2022)
10/23/2022	<a href="#">574</a>	Errata Sheet to <a href="#">388</a> Expert Report filed by Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Kanji, Riyaz) (Entered: 10/23/2022)
10/24/2022	<a href="#">575</a>	Joint Stipulation As To Exhibits Admitted With Expert Reports by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River

		Reservation. (Kanji, Riyaz) Modified on 10/24/2022. (lak) (Entered: 10/24/2022)
10/24/2022	<a href="#">576</a>	Minute Entry for proceedings held before District Judge William M. Conley: 1st Day Court Trial held on 10/24/2022 Trial continues. [07:29] (Court Reporter JLD/PCH.) (jls) (Entered: 10/24/2022)
10/24/2022	<a href="#">577</a>	Amended Expert Report of Laura Olive by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. ( <u>Sealed Document</u> ) (Nemeroff, Justin) (Entered: 10/24/2022)
10/24/2022	<a href="#">578</a>	Exhibit List <i>Joint Stipulation</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. (Nemeroff, Justin) (Entered: 10/24/2022)
10/25/2022	<a href="#">579</a>	Deposition of Colin McGuire taken on June 6, 2022 <i>with Highlighted Designations</i> . ( <u>Sealed Document</u> ) (Kanji, Riyaz) (Entered: 10/25/2022)
10/25/2022	<a href="#">580</a>	Exhibit List <i>of Exhibits to be Admitted via Deposition Designations</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 10/25/2022)
10/25/2022	<a href="#">581</a>	Corrected Exhibit List <i>of Exhibits to be Admitted via Deposition Designations</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 10/25/2022)
10/25/2022	<a href="#">582</a>	Minute Entry for proceedings held before District Judge William M. Conley: 2nd Day Court Trial held on 10/25/2022 Trial continues. [07:51] (Court Reporter JLD/PCH.) (jls) (Entered: 10/25/2022)
10/26/2022	<a href="#">583</a>	Expert Report of Dan Leistra-Jones - Rebuttal Report Updated 10/25/2022 by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 10/26/2022)
10/26/2022	<a href="#">584</a>	Minute Entry for proceedings held before District Judge William M. Conley: 3rd Day Court Trial held on 10/26/2022 Trial continues. [07:29] (Court Reporter JLD/PCH.) (jls) (Entered: 10/26/2022)
10/26/2022	<a href="#">585</a>	Exhibit List <i>of Exhibits to be Admitted via Deposition Designations</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. (Nemeroff, Justin) (Entered: 10/26/2022)
10/27/2022	<a href="#">586</a>	Minute Entry for proceedings held before District Judge William M. Conley: 4th Day Court Trial held on 10/27/2022. Trial continues. [03:32] (Court Reporter JLD/PCH.) (jls) (Entered: 10/27/2022)
10/27/2022	<a href="#">587</a>	Deposition of Colin McGuire taken on June 6, 2022 <i>with AMENDED HIGHLIGHTED DESIGNATIONS</i> . ( <u>Sealed Document</u> ) (Kanji, Riyaz) (Entered: 10/27/2022)
10/27/2022	<a href="#">588</a>	Amended Deposition Designations <i>and Counter-Objections and Counter-Designations</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 10/27/2022)
10/28/2022	<a href="#">589</a>	Trial Brief <i>Addressing the Court's Equitable Powers to Enter an Injunction</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 10/28/2022)

10/28/2022	<a href="#">590</a>	Minute Entry for proceedings held before District Judge William M. Conley: 5th Day Court Trial held on 10/28/2022 Trial continues. [07:29] (Court Reporter JLD/PCH.) (jls) (Entered: 10/28/2022)
11/01/2022	<a href="#">591</a>	Minute Entry for proceedings held before District Judge William M. Conley: 6th Day Court Trial held on 10/31/2022 Trial continues. [06:18] (Court Reporter JLD/PCH.) (jls) (Entered: 11/01/2022)
11/01/2022	<a href="#">592</a>	Minute Entry for proceedings held before District Judge William M. Conley: 7th Day Court Trial held on 11/1/2022. [02:41] (Court Reporter JLD.) (jls) (Entered: 11/01/2022)
11/01/2022	<a href="#">593</a>	Trial Brief <i>Regarding Transit Treaty and Trespass Remedy</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Diedrich, Joseph) (Entered: 11/01/2022)
11/02/2022	<a href="#">594</a>	Trial Brief <i>Addressing Public Nuisance Liability and Remediation Issues</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 11/02/2022)
11/02/2022	<a href="#">595</a>	Trial Brief <i>in Response to Defendants' Bench Memorandum Addressing the Court's Equitable Powers to Enter an Injunction Facilitating Remediation at the Meander</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 11/02/2022)
11/04/2022	<a href="#">596</a>	Trial Brief <i>in Response to Plaintiffs' Brief Addressing Public Nuisance Liability and Remediation Issues</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 11/04/2022)
11/04/2022	<a href="#">597</a>	Joint Exhibit List <i>Stipulated List of Admitted Trial Exhibits</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 11/04/2022)
11/05/2022	<a href="#">598</a>	Trial Brief <i>in Response to Defendants' Bench Memorandum Regarding The Transit Treaty</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 11/05/2022)
11/07/2022	<a href="#">599</a>	Transcript of First Day of Court Trial (Morning Session), held 10/24/2022 before Judge William M. Conley. Court Reporter: JD. Please review the court's policy regarding electronic transcripts of court proceedings: see <a href="#">Electronic Transcript Instructions</a> . (voc) (Entered: 11/07/2022)
11/07/2022	<a href="#">600</a>	Transcript of Second Day of Court Trial (Morning Session), held 10/25/2022 before Judge William M. Conley. Court Reporter: JD. Please review the court's policy regarding electronic transcripts of court proceedings: see <a href="#">Electronic Transcript Instructions</a> . (voc) (Entered: 11/07/2022)
11/07/2022	<a href="#">601</a>	Transcript of Third Day of Court Trial (Morning Session), held 10/26/2022 before Judge William M. Conley. Court Reporter: JD. Please review the court's policy regarding electronic transcripts of court proceedings: see <a href="#">Electronic Transcript Instructions</a> . (voc) (Entered: 11/07/2022)

11/07/2022	<a href="#">602</a>	Transcript of Fourth Day of Court Trial (Morning Session), held 10/27/2022 before Judge William M. Conley. Court Reporter: JD. Please review the court's policy regarding electronic transcripts of court proceedings: see <a href="#">Electronic Transcript Instructions</a> . (voc) (Entered: 11/07/2022)
11/07/2022	<a href="#">603</a>	Transcript of Fifth Day of Court Trial (Morning Session), held 10/28/2022 before Judge William M. Conley. Court Reporter: JD. Please review the court's policy regarding electronic transcripts of court proceedings: see <a href="#">Electronic Transcript Instructions</a> . (voc) (Entered: 11/07/2022)
11/07/2022	<a href="#">604</a>	Transcript of Sixth Day of Court Trial (Morning Session), held 10/31/2022 before Judge William M. Conley. Court Reporter: JD. Please review the court's policy regarding electronic transcripts of court proceedings: see <a href="#">Electronic Transcript Instructions</a> . (voc) (Entered: 11/07/2022)
11/07/2022	<a href="#">605</a>	Transcript of Seventh Day of Court Trial, held 11/1/2022 before Judge William M. Conley. Court Reporter: JD. Please review the court's policy regarding electronic transcripts of court proceedings: see <a href="#">Electronic Transcript Instructions</a> . (voc) (Entered: 11/07/2022)
11/09/2022	<a href="#">606</a>	Transcript of First Day of Court Trial (Afternoon Session), held 10/24/2022 before Judge William M. Conley. Court Reporter: PH. Please review the court's policy regarding electronic transcripts of court proceedings: see <a href="#">Electronic Transcript Instructions</a> . (voc) (Entered: 11/09/2022)
11/09/2022	<a href="#">607</a>	Transcript of Second Day of Court Trial (Afternoon Session), held 10/25/2022 before Judge William M. Conley. Court Reporter: PH. Please review the court's policy regarding electronic transcripts of court proceedings: see <a href="#">Electronic Transcript Instructions</a> . (voc) (Entered: 11/09/2022)
11/09/2022	<a href="#">608</a>	Transcript of Third Day of Court Trial (Afternoon Session), held 10/26/2022 before Judge William M. Conley. Court Reporter: PH. Please review the court's policy regarding electronic transcripts of court proceedings: see <a href="#">Electronic Transcript Instructions</a> . (voc) (Entered: 11/09/2022)
11/09/2022	<a href="#">609</a>	Transcript of Fourth Day of Court Trial (Afternoon Session), held 10/27/2022 before Judge William M. Conley. Court Reporter: PH. Please review the court's policy regarding electronic transcripts of court proceedings: see <a href="#">Electronic Transcript Instructions</a> . (voc) (Entered: 11/09/2022)
11/09/2022	<a href="#">610</a>	Transcript of Fifth Day of Court Trial (Afternoon Session), held 10/28/2022 before Judge William M. Conley. Court Reporter: PH. Please review the court's policy regarding electronic transcripts of court proceedings: see <a href="#">Electronic Transcript Instructions</a> . (voc) (Entered: 11/09/2022)
11/09/2022	<a href="#">611</a>	Transcript of Sixth Day of Court Trial (Afternoon Session), held 10/31/2022 before Judge William M. Conley. Court Reporter: PH. Please review the court's policy regarding electronic transcripts of court proceedings: see <a href="#">Electronic Transcript Instructions</a> . (voc) (Entered: 11/09/2022)
11/28/2022	<a href="#">612</a>	<b>OPINION and ORDER</b> IT IS ORDERED that: 1. By December 17, 2022, the parties shall meet and confer regarding: (1) the installation of EFRDs on Line 5 on the Reservation; (2) an appropriate shutdown and purge protocol should conditions worsen at the meander; and (3) other



		<p>reasonable remediation projects that could inhibit further erosion at Line 5.</p> <p>2. By December 24, 2022, the parties shall submit a joint proposal to the court regarding an appropriate shutoff and purge plan for the meander, or if they cannot agree on a joint proposal, each should submit their own last, best offer on a shutoff and purge protocol.</p> <p>3. Enbridge's request for declaratory and injunctive relief on its counterclaims IV and V is DENIED.</p> <p>Signed by District Judge William M. Conley on 11/28/2022. (voc) (Entered: 11/28/2022)</p>
11/28/2022	613	<p><b>** TEXT ONLY ORDER **</b></p> <p>The deadlines set in <a href="#">612</a> Opinion and Order are reset to December 16, 2022 and December 23, 2022. Signed by District Judge William M. Conley on 11/28/2022. (voc) (Entered: 11/28/2022)</p>
12/23/2022	<a href="#">614</a>	<p>Status Report - <i>Joint</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 12/23/2022)</p>
12/23/2022	<a href="#">615</a>	<p>Declaration of Andrew Duncan (<a href="#">Sealed Document</a>) (Nemeroff, Justin) (Entered: 12/23/2022)</p>
12/23/2022	<a href="#">616</a>	<p>Notice by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. re <a href="#">615</a> Declaration, <a href="#">612</a> Order,,, for "<i>Last, Best Offer</i>" on Monitoring and Shutdown Protocol. (<a href="#">Sealed Document</a>) (Attachments: # <a href="#">1</a> Exhibit A - Current Meander Monitoring and Shutdown Plan, # <a href="#">2</a> Exhibit B - Offer of New Meander Monitoring and Shutdown Plan) (Nemeroff, Justin) (Entered: 12/23/2022)</p>
12/23/2022	<a href="#">617</a>	<p>Notice by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation - <i>Line 5 Bad River Meander Monitoring, Shutdown, Purge, and Restart Protocol</i>. (<a href="#">Sealed Document</a>) (Kanji, Riyaz) (Entered: 12/23/2022)</p>
12/23/2022	<a href="#">618</a>	<p>Post Trial Brief <i>in Support of the Band's Proposed Meander Shutdown and Purge Protocol</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (<a href="#">Sealed Document</a>) (Kanji, Riyaz) (Entered: 12/23/2022)</p>
02/22/2023	<a href="#">619</a>	<p>Motion for Protective Order <i>to Seal the Parties' Shutdown-and-Purge Proposal Submissions</i> by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 02/22/2023)</p>
02/22/2023	<a href="#">620</a>	<p>Declaration of Andrew Duncan filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. re: <a href="#">619</a> Motion for Protective Order (Nemeroff, Justin) (Entered: 02/22/2023)</p>
02/23/2023		<p>Set Briefing Deadlines as to <a href="#">619</a> Motion for Protective Order <i>to Seal the Parties' Shutdown-and-Purge Proposal Submissions</i>. Brief in Opposition due 3/2/2023. (voc/slc) (Entered: 02/23/2023)</p>
02/27/2023	<a href="#">621</a>	<p>Unopposed Motion for Extension of Time <i>to File Response to Motion for Protective Order to Seal the Parties' Shutdown and Purge Submissions</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 02/27/2023)</p>



02/28/2023	622	<b>** TEXT ONLY ORDER **</b> <b>ORDER</b> granting <a href="#">621</a> Unopposed Motion for Extension of Time to File Response to Motion for Protective Order. Brief in Opposition due 3/8/2023. Signed by Magistrate Judge Stephen L. Crocker on 2/28/2023. (voc) (Entered: 02/28/2023)
03/09/2023	<a href="#">623</a>	Brief in Opposition by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">619</a> Motion for Protective Order filed by Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Sealed Document) (Kanji, Riyaz) (Entered: 03/09/2023)
03/09/2023	<a href="#">624</a>	Declaration of Christopher C. Miller filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">619</a> Motion for Protective Order (Attachments: # <a href="#">1</a> Exhibit Confidentiality Agreement between The Band and Enbridge, # <a href="#">2</a> Exhibit Email Correspondence between Parties) (Kanji, Riyaz) (Entered: 03/09/2023)
03/09/2023	<a href="#">625</a>	Declaration of Ian B. Paton filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">619</a> Motion for Protective Order (Kanji, Riyaz) (Entered: 03/09/2023)
03/09/2023	<a href="#">626</a>	Redaction to <a href="#">623</a> Brief in Opposition, <i>of Enbridge's Motion for Protective Order to Seal Parties' Shutdown and Purge Submissions</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 03/09/2023)
05/01/2023	<a href="#">627</a>	Status Report ( <i>Joint</i> ) <i>Regarding Meander Conditions</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 05/01/2023)
05/09/2023	<a href="#">628</a>	<b>Emergency MOTION FOR PERMANENT INJUNCTION</b> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 05/09/2023)
05/09/2023	<a href="#">629</a>	Brief in Support of <a href="#">628</a> Emergency Motion for Permanent Injunction by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) Modified on 5/9/2023. (lak) (Entered: 05/09/2023)
05/09/2023	<a href="#">630</a>	Proposed Findings of Fact filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">628</a> Emergency Motion for Permanent Injunction. (Sealed) (Kanji, Riyaz) Modified on 5/9/2023. (lak) Modified on 5/15/2023 (acd). (Entered: 05/09/2023)
05/09/2023	<a href="#">631</a>	Declaration of Naomi Tillison filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">628</a> Emergency Motion for Permanent Injunction. (Kanji, Riyaz) (Entered: 05/09/2023)
05/09/2023	<a href="#">632</a>	Declaration of Ian B. Paton filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">628</a> Emergency Motion for Permanent Injunction. (Kanji, Riyaz) (Entered: 05/09/2023)
05/09/2023		Set Deadlines as to <a href="#">628</a> Emergency MOTION FOR PERMANENT INJUNCTION. Defendants' response due by noon on 5/12/2023. (lam) (Entered: 05/09/2023)

05/10/2023	633	<p><b>** TEXT ONLY ORDER **</b></p> <p>In response to an email sent by defense counsel to the court and counsel for plaintiffs, defendants' response to plaintiffs' motion for an emergency permanent injunction (dkt. # <a href="#">628</a> ) is due on or before May 16, 2023. The court will consider additional evidence that either side may wish to present at an in-person hearing on that motion on May 18, 2023, at 10:00 a.m. Signed by District Judge William M. Conley on 5/10/2023. (voc) Modified on 5/12/2023. (arw) (Entered: 05/10/2023)</p>
05/12/2023	<a href="#">634</a>	<p>Redaction to <a href="#">630</a> Proposed Findings of Fact <i>in Support of Its Emergency Motion for Injunctive Relief</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 05/12/2023)</p>
05/15/2023	635	<p><b>** TEXT ONLY ORDER **</b></p> <p>The court is in receipt of informal correspondence regarding the submissions leading up to and conduct during the scheduled hearing on Thursday, May 18, on the Band's emergency motion for injunctive relief (dkt. # <a href="#">628</a> ). First, the parties' proposal with respect to additional submissions in advance of that hearing is acceptable. Second, in light of the parties' anticipation of possible witness testimony, the court will start the hearing at 9:30 a.m. and has set aside the entire day, except for a 2:00 p.m. sentencing hearing.</p> <p>Hopefully that addresses the concerns raised by the parties' correspondence, but I am available for a short scheduling conference. If either party wishes such a conference, they should contact my judicial assistant, Melissa Hardin. Signed by District Judge William M. Conley on 5/15/2023. (lam) (Entered: 05/15/2023)</p>
05/16/2023	<a href="#">636</a>	<p>Declaration of Julie Kloss Molina filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P. <i>in Support of Enbridge's Opposition</i> re: <a href="#">628</a> Motion for Permanent Injunction (Attachments: # <a href="#">1</a> Exhibit A - May 9, 2023 Sandbag Application, # <a href="#">2</a> Exhibit B - Correspondence Regarding Enbridge Sandbag Application, # <a href="#">3</a> Exhibit C - May 15, 2023 Revised Tree Revetment Application) (Nemeroff, Justin) (Entered: 05/16/2023)</p>
05/16/2023	<a href="#">637</a>	<p>Declaration of Leonard LeBlanc filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy Partners, L.P. <i>in Support of Enbridge's Opposition</i> re: <a href="#">628</a> Motion for Permanent Injunction (Nemeroff, Justin) (Entered: 05/16/2023)</p>
05/16/2023	<a href="#">638</a>	<p>Declaration of David Stafford filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>in Support of Enbridge's Opposition</i> re: <a href="#">628</a> Motion for Permanent Injunction (Nemeroff, Justin) (Entered: 05/16/2023)</p>
05/16/2023	<a href="#">639</a>	<p>Declaration of T. DeWitt Burdeaux and Michael LaMont filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>in Support of Enbridge's Opposition</i> re: <a href="#">628</a> Motion for Permanent Injunction (Attachments: # <a href="#">1</a> Exhibit A - Curriculum Vitae of T. DeWitt Burdeaux, # <a href="#">2</a> Exhibit B - Curriculum Vitae of Michael LaMont) (Nemeroff, Justin) (Entered: 05/16/2023)</p>
05/16/2023	<a href="#">640</a>	<p>Declaration of Paul Eberth filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>in Support of Enbridge's Opposition</i> re: <a href="#">628</a> Motion for Permanent Injunction (Nemeroff, Justin) (Entered: 05/16/2023)</p>

05/16/2023	<a href="#">641</a>	Declaration of Scott Storlid filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>in Support of Enbridge's Opposition</i> re: <a href="#">628</a> Motion for Permanent Injunction (Nemeroff, Justin) (Entered: 05/16/2023)
05/16/2023	<a href="#">642</a>	Declaration of Hamish Weatherly filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>in Support of Enbridge's Opposition</i> re: <a href="#">628</a> Motion for Permanent Injunction (Nemeroff, Justin) (Entered: 05/16/2023)
05/16/2023	<a href="#">643</a>	Declaration of Madeline Louise Haben Teitelbaum filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>in Support of Enbridge's Opposition</i> re: <a href="#">628</a> Motion for Permanent Injunction. (Nemeroff, Justin) Modified on 5/17/2023. (lak) (Entered: 05/16/2023)
05/16/2023	<a href="#">644</a>	Declaration of Marlon Samuel filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>in Support of Enbridge's Opposition</i> re: <a href="#">628</a> Motion for Permanent Injunction (Nemeroff, Justin) (Entered: 05/16/2023)
05/16/2023	<a href="#">645</a>	Declaration of Canadian Chamber of Commerce filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>in Support of Enbridge's Opposition</i> re: <a href="#">628</a> Motion for Permanent Injunction (Nemeroff, Justin) (Entered: 05/16/2023)
05/16/2023	<a href="#">646</a>	Declaration of Imperial Oil Limited filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>in Support of Enbridge's Opposition</i> re: <a href="#">628</a> Motion for Permanent Injunction (Nemeroff, Justin) (Entered: 05/16/2023)
05/16/2023	<a href="#">647</a>	Declaration of PBF Energy, Inc. filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>in Support of Enbridge's Opposition</i> re: <a href="#">628</a> Motion for Permanent Injunction (Nemeroff, Justin) (Entered: 05/16/2023)
05/16/2023	<a href="#">648</a>	Declaration of Plains Midstream Canada ULC filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>in Support of Enbridge's Opposition</i> re: <a href="#">628</a> Motion for Permanent Injunction (Nemeroff, Justin) (Entered: 05/16/2023)
05/16/2023	<a href="#">649</a>	Declaration of Shell Canada Limited filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>in Support of Enbridge's Opposition</i> re: <a href="#">628</a> Motion for Permanent Injunction (Nemeroff, Justin) (Entered: 05/16/2023)
05/16/2023	<a href="#">650</a>	Declaration of Suncor Energy Inc. filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>in Support of Enbridge's Opposition</i> re: <a href="#">628</a> Motion for Permanent Injunction (Nemeroff, Justin) (Entered: 05/16/2023)
05/16/2023	<a href="#">651</a>	Declaration of Superior Gas Liquids filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>in Support of Enbridge's Opposition</i> re: <a href="#">628</a> Motion for Permanent Injunction (Nemeroff, Justin) (Entered: 05/16/2023)
05/16/2023	<a href="#">652</a>	Declaration of United Refining Company filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>in Support of Enbridge's Opposition</i> re: <a href="#">628</a> Motion for Permanent Injunction (Nemeroff, Justin) (Entered: 05/16/2023)
05/16/2023	<a href="#">653</a>	Declaration of Cenovus Energy Inc. filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>in Support of Enbridge's Opposition</i> re: <a href="#">628</a> Motion for Permanent Injunction (Nemeroff, Justin) (Entered: 05/16/2023)
05/16/2023	<a href="#">654</a>	Declaration of Andrew Duncan filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. <i>in Support of Enbridge's Opposition</i> re: <a href="#">628</a> Motion for Permanent Injunction (Attachments:

		# <a href="#">1</a> Exhibit A - Sample Updates from Enbridge to MNRD Regarding Meander Conditions, # <a href="#">2</a> Exhibit B - Declaration Figures) (Nemeroff, Justin) (Entered: 05/16/2023)
05/16/2023	<a href="#">655</a>	Brief in Opposition by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. re: <a href="#">628</a> Motion for Permanent Injunction filed by Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Attachments: # <a href="#">1</a> Exhibit 1 - May 4 & 5, 2023 Correspondence Between the Band and Enbridge, # <a href="#">2</a> Exhibit 2 - Oct. 17, 2018 MNRD E-mail Describing Landowner Permitted Erosion Prevention Projects, # <a href="#">3</a> Exhibit 3 - Letter from Canadian Propane Association) (Nemeroff, Justin) (Entered: 05/16/2023)
05/16/2023	<a href="#">656</a>	Unopposed Motion for Leave to File <i>Brief in Support of Defendants' Opposition to Plaintiff's Emergency Motion for Injunctive Relief</i> by Amicus Parties Michigan Propane Gas Association, National Propane Gas Association, Wisconsin Propane Gas Association. (Stalker, Margaret) (Entered: 05/16/2023)
05/16/2023	<a href="#">657</a>	Brief in Opposition by Amicus Parties Michigan Propane Gas Association, National Propane Gas Association, Wisconsin Propane Gas Association re: <a href="#">628</a> Motion for Permanent Injunction filed by Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Stalker, Margaret) (Entered: 05/16/2023)
05/16/2023	<a href="#">658</a>	Unopposed Motion for Leave to File <i>Brief of Amici Curiae In Support of Enbridge's Opposition to the Bad River Band's Motion for Permanent Injunction</i> by Amicus Parties American Fuel & Petrochemical Manufacturers, American Petroleum Institute, Association of Oil Pipe Lines. (Keller, Scott) Modified on 5/17/2023: and Liquid Energy Pipeline Association. (lak) (Entered: 05/16/2023)
05/16/2023	<a href="#">659</a>	Brief in Opposition by Amicus Parties American Fuel & Petrochemical Manufacturers, American Petroleum Institute, Association of Oil Pipe Lines re: <a href="#">628</a> Motion for Permanent Injunction filed by Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Keller, Scott) (Entered: 05/16/2023)
05/16/2023	<a href="#">660</a>	Response to Proposed Findings of Fact filed by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. re: <a href="#">628</a> Motion for Permanent Injunction (Nemeroff, Justin) (Entered: 05/16/2023)
05/17/2023	<a href="#">661</a>	Motion to Exclude Declarations Regarding the Economic Impact of a Line 5 Shutdown by Bad River Band of the Lake Superior Tribe of Chippewa Indians. Response due 5/24/2023. (Kanji, Riyaz) Modified on 5/17/2023. (lak) (Entered: 05/17/2023)
05/17/2023	662	<b>** TEXT ONLY ORDER **</b> <b>ORDER</b> Granting <a href="#">656</a> Unopposed Motion for Leave to File Brief in Support of Defendants' Opposition to Plaintiff's Emergency Motion for Injunctive Relief by Amicus Parties Michigan Propane Gas Association, National Propane Gas Association, Wisconsin Propane Gas Association ; Granting <a href="#">658</a> Unopposed Motion for Leave to File Brief of Amici Curiae In Support of Enbridge's Opposition to the Bad River Band's Motion for Permanent Injunction by Amicus Parties American Fuel & Petrochemical Manufacturers, American Petroleum Institute, Association of



		Oil Pipe Lines. Signed by District Judge William M. Conley on 5/17/2023. (voc) (Entered: 05/17/2023)
05/17/2023	<a href="#">663</a>	Motion to Admit Daniel P Bock Pro Hac Vice. ( Pro Hac Vice fee \$ 100 receipt number AWIWDC-3244445.) by Amicus Parties State of Michigan, Dana Nessel. (Bock, Daniel) Modified on 5/17/2023: Deleted contact information for State of Michigan and Dana Nessel. (lak) (Entered: 05/17/2023)
05/17/2023	<a href="#">664</a>	Motion for Leave to File <i>Amicus Brief</i> by Amicus Parties Dana Nessel, State of Michigan. (Bock, Daniel) Modified on 5/17/2023. (lak) (Entered: 05/17/2023)
05/17/2023	<a href="#">665</a>	Brief in Support of <a href="#">628</a> Motion for Permanent Injunction, <a href="#">664</a> Motion for Leave to File by Amicus Parties Dana Nessel, State of Michigan. (Bock, Daniel) (Entered: 05/17/2023)
05/17/2023	666	<b>** TEXT ONLY ORDER **</b> <b>ORDER</b> granting <a href="#">663</a> Motion to Admit Daniel Bock Pro Hac Vice. Signed by Magistrate Judge Stephen L. Crocker on 5/17/2023. (lak) (Entered: 05/17/2023)
05/17/2023	667	<b>** TEXT ONLY ORDER **</b> <b>ORDER</b> granting <a href="#">664</a> Motion for Leave to File File Amicus Brief by Amicus Parties Dana Nessel, State of Michigan. Signed by District Judge William M. Conley on 5/17/2023. (voc) (Entered: 05/17/2023)
05/18/2023	<a href="#">668</a>	Minute Entry for proceedings held before District Judge William M. Conley: Motion Hearing held on 5/18/2023 re <a href="#">628</a> Emergency MOTION FOR PERMANENT INJUNCTION filed by Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Court Reporter JD.) [5:48] (nlm) (Entered: 05/18/2023)
05/19/2023	<a href="#">669</a>	Amicus Curiae Liquid Energy Pipeline Association's Motion to Modify Name by Amicus Association of Oil Pipe Lines. Response due 5/26/2023. (Keller, Scott) (Entered: 05/19/2023)
05/22/2023	<a href="#">670</a>	SEALED Transcript of Motion Hearing, held May 18, 2023 before Judge William M. Conley. Court Reporter: JLD. Please review the court's policy regarding electronic transcripts of court proceedings: see <a href="#">Electronic Transcript Instructions</a> . (lam) (Entered: 05/22/2023)
05/24/2023	671	<b>** TEXT ONLY ORDER **</b> <b>ORDER</b> granting <a href="#">669</a> Amicus Curiae Liquid Energy Pipeline Association's Motion to Modify Name. Signed by District Judge William M. Conley on 5/24/2023. (lam) (Entered: 05/24/2023)
05/24/2023	672	<b>** TEXT ONLY ORDER **</b> As discussed at the May 18 hearing, plaintiff's motion to exclude declarations regarding economic impact (dkt. <a href="#">661</a> ) is GRANTED IN PART and DENIED IN PART. The court will consider the declarations to the extent they provide new, different evidence because of changed circumstances since trial, but will not consider evidence of economic impact that is cumulative to the evidence presented at trial. Signed by District Judge William M. Conley on 5/24/2023. (lam) (Entered: 05/24/2023)

06/05/2023	<a href="#">673</a>	Status Report by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) (Entered: 06/05/2023)
06/06/2023	<a href="#">674</a>	Motion Requesting Redactions to Transcript <a href="#">670</a> (Sealed Document) by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P.. (Attachments: # <a href="#">1</a> Exhibit A - Proposed Redactions) (Nemeroff, Justin) (Entered: 06/06/2023)
06/06/2023	<a href="#">675</a>	Bad River Band's Unopposed Motion to Correct the Record of Admitted Exhibits of May 18, 2023 Hearing by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 06/06/2023)
06/06/2023	<a href="#">676</a>	Declaration of Ella Barzel filed by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation re: <a href="#">675</a> Motion for Miscellaneous Relief (Attachments: # <a href="#">1</a> Exhibit Exhibit 179, # <a href="#">2</a> Exhibit Exhibit 180) (Kanji, Riyaz) (Entered: 06/06/2023)
06/06/2023		Set Deadlines as to <a href="#">674</a> Motion Requesting Redactions to Transcript <a href="#">670</a> (Sealed Document). Response due 6/13/2023. (lam) (Entered: 06/06/2023)
06/06/2023	677	<b>** TEXT ONLY ORDER **</b> <b>ORDER</b> granting <a href="#">675</a> Bad River Band's Unopposed Motion to Correct the Record of Admitted Exhibits of May 18, 2023 Hearing. Signed by District Judge William M. Conley on 6/6/2023. (lam) (Entered: 06/06/2023)
06/06/2023	678	<b>** TEXT ONLY ORDER **</b> <b>ORDER</b> granting <a href="#">674</a> Motion Requesting Redactions to Transcript. Signed by District Judge William M. Conley on 6/6/2023. (lam) (Entered: 06/06/2023)
06/07/2023	<a href="#">679</a>	Redacted Transcript of Motion Hearing, held May 18, 2023, before Judge William M. Conley. Court Reporter: JLD. (lam) (Entered: 06/07/2023)
06/09/2023	<a href="#">680</a>	Status Report by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Attachments: # <a href="#">1</a> Exhibit 1 - Tribal Council Resolution, # <a href="#">2</a> Exhibit 2 - MNRD Antidegradation Decision) (Nemeroff, Justin) (Entered: 06/09/2023)
06/12/2023	<a href="#">681</a>	Status Report : <i>Response to Enbridge's Status Reports</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation (Kanji, Riyaz) (Entered: 06/12/2023)
06/12/2023	<a href="#">682</a>	Declaration of Joshua C. Handelsman re <a href="#">681</a> Status Report : <i>Response to Enbridge's Status Reports</i> (Attachments: # <a href="#">1</a> Exhibit A - MNRD Technical Document Relating to Evaluation of the Enbridge Meander Temporary Sandbag Project Proposal, # <a href="#">2</a> Exhibit B - Bad River Band Tribal Council's June 7, 2023 Tribal Council Resolution, # <a href="#">3</a> Exhibit C - June 2023 Email Thread, # <a href="#">4</a> Exhibit D - MNRD's Examples, # <a href="#">5</a> Exhibit E - NOAA's High Plains Regional Climate Center's Map, # <a href="#">6</a> Exhibit F - Emails between MNRD and Enbridge) (Kanji, Riyaz) (Entered: 06/12/2023)



06/12/2023	<a href="#">683</a>	Declaration of Naomi Tillison re <a href="#">681</a> Status Report : <i>Response to Enbridge's Status Reports</i> (Kanji, Riyaz) (Entered: 06/12/2023)
06/16/2023	<a href="#">684</a>	<b>OPINION and ORDER</b>  IT IS ORDERED that:  1. Defendants Enbridge Energy Company, Inc. and Enbridge Energy, L.P. shall adopt and implement its December 2022 monitoring and shutdown plan in full, including the court's modifications set forth in this order, within 21 days of the date of this order. 2. Defendants shall disgorge \$5,151,668 to plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians for defendants' past trespass on the Band's 12, former allotment parcels. 3. Defendants shall continue disgorging profits to the Band on a quarterly basis according to the formula set forth in this opinion so long as Line 5 operates in trespass of the 12, former allotment parcels. 4. Defendants are ENJOINED to cease operation of Line 5 on any parcel within the Band's tribal territory on which defendants lack a valid right of way and to arrange reasonable remediation at those sites within three years of the date of this order. 5. The parties may have until Friday, June 23, 2023, to seek any clarification of this order in writing, at which time the court will proceed to enter final judgment, or if necessary, schedule a brief telephonic hearing to address any remaining concerns. Signed by District Judge William M. Conley on 6/16/2023. (lam) (Entered: 06/16/2023)
06/22/2023	<a href="#">685</a>	Joint Exhibit List <i>Stipulated List of Exhibits Admitted at Hearing of May 18, 2023</i> by Plaintiff Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation. (Kanji, Riyaz) (Entered: 06/22/2023)
06/23/2023	<a href="#">686</a>	Motion for Clarification re: <a href="#">684</a> Order, by Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. (Nemeroff, Justin) Modified on 6/26/2023. (lak) (Entered: 06/23/2023)
06/26/2023	<a href="#">687</a>	<b>ORDER</b> granting <a href="#">686</a> Motion for Clarification; granting <a href="#">619</a> Motion for Protective Order. Signed by District Judge William M. Conley on 6/26/2023. (lam) (Entered: 06/26/2023)
06/29/2023	<a href="#">688</a>	FINAL JUDGMENT IN A CIVIL CASE. (WMC/JWT) (jat) (Entered: 06/29/2023)
06/29/2023	<a href="#">689</a>	AMENDED FINAL JUDGMENT IN A CIVIL CASE. (WMC/JWT) (arw) (Entered: 06/29/2023)
06/30/2023	<a href="#">690</a>	NOTICE OF APPEAL by Counter Claimants Enbridge Energy Company, Inc., Enbridge Energy, L.P., Defendants Enbridge Energy Company, Inc., Enbridge Energy, L.P. as to <a href="#">689</a> Judgment. Filing fee of \$ 505, receipt number BWIWDC-3267773 paid. Docketing Statement filed. (Attachments: # <a href="#">1</a> Docketing Statement) (Diedrich, Joseph) (Entered: 06/30/2023)
06/30/2023	<a href="#">691</a>	Appeal Information Packet. (lak) (Entered: 06/30/2023)